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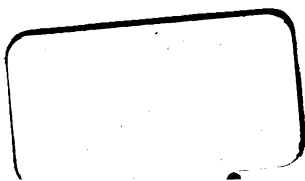
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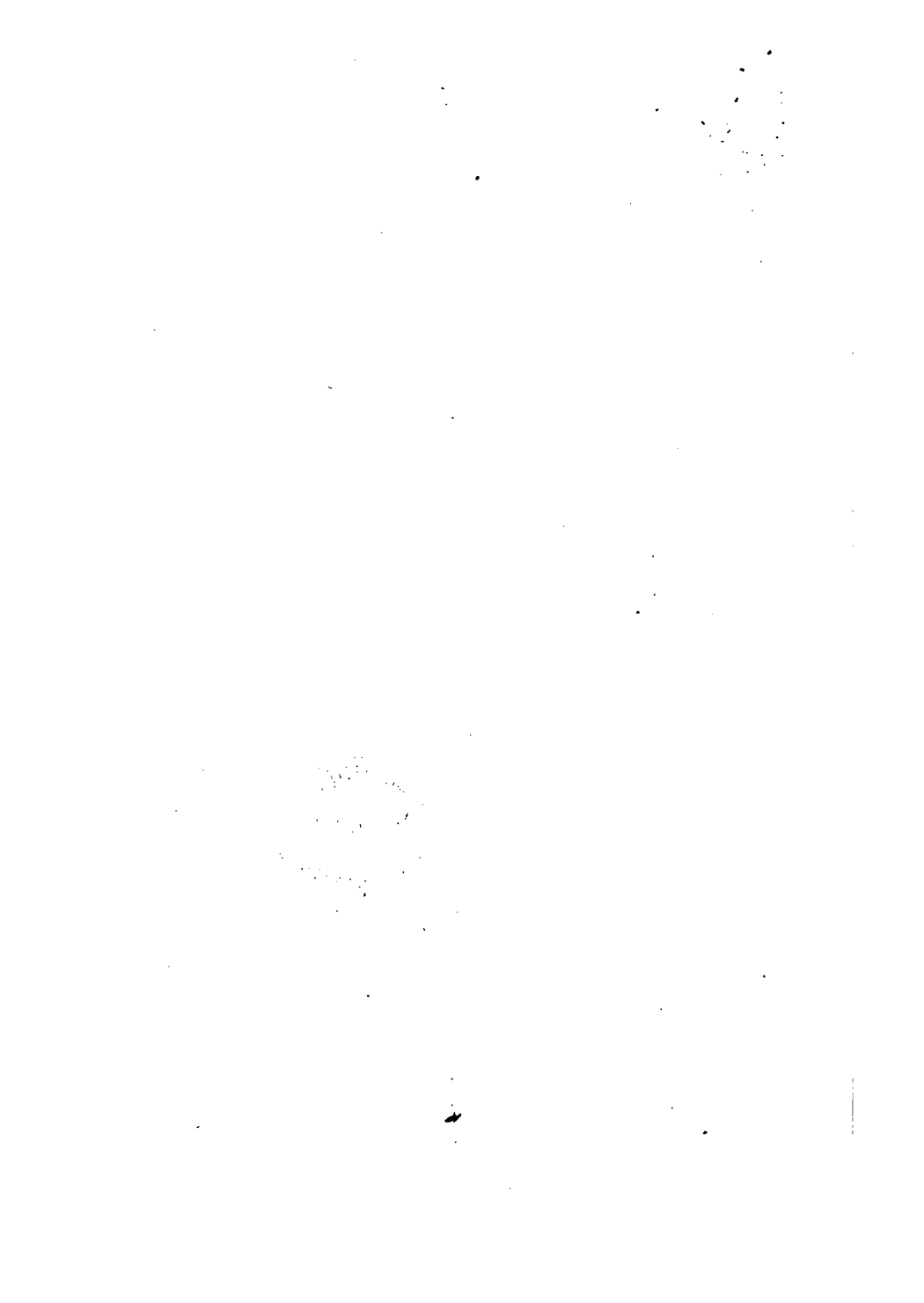
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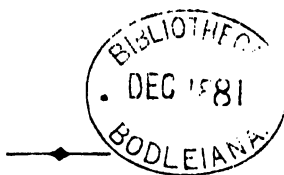
Scripture Facts Concerning Marriage;

ESPECIALLY IN REGARD TO

POLYGAMY, CONCUBINAGE, DIVORCE,
MARITAL AUTHORITY,

ETC.

By M. D.



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PREFACE.

THE title of this book appears to some persons somewhat alarming: and some friends have suggested that it should be varied or softened in some way or other. I can only say that the Title-page expresses plainly and concisely the object of the book itself.

And why should it not? Does any one fear to examine honestly into the actual statements of Scripture on these very important matters? No one, surely, who believes the Bible to be in any reasonable sense the revealed Word of God. If such an enquiry is forbidden or objected to, the Bible itself must be suppressed. Of course, such an enquiry must be conducted under proper conditions; and one condition imperatively necessary is that there should be no attempt at *distorting* the facts of Scripture. It will also be required that due care should be used as to the manner and tone of dealing with such a subject. I do not think the following pages will be found open to censure on either of these grounds.

The question here presented to the reader is one which may be discussed from several points of view,

Scriptural, Historical, Moral, and Social. I have confined myself here almost exclusively to the first of these considerations, the testimony of Scripture: a very important one, as most people in England will admit; the most important of all, as it must be in the judgment of all who hold Scripture to be Divine.

This then is the main point on which I venture to challenge public opinion and public prejudice:—
“What does the Bible say on these matters? Are these conclusions fairly and honestly arrived at, without perversion or misinterpretation?” (*Page 169.*)

M. D.

July, 1881.

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HAGAR;

OR

LAWFUL CONCUBINAGE:

ETC.

CHAPTER I.

"Some again are offended to hear that the godly fathers had many wives and concubines; although after the phrase of the Scripture, a *concubine* is an honest name: for every concubine is a lawful wife, but every wife is not a concubine."

1. This passage, taken from the Second Book of the Homilies of the Church of England (No. 10), appears to have been intended to correct a common prejudice then prevailing, namely, that the term *concubine* included some degree of reproach or dishonor; as if those godly fathers and patriarchs, of whose concubinage we read in the Sacred History, Abraham, Jacob, and others, had been guilty therein of some offence against the laws of God, and of morality. Such notion, says the Homilist, is an error; the concubines mentioned in Scripture were not living in a state of dishonor or immorality; they were in fact, as he afterwards explains, wives of a lower rank, and in an inferior kind of marriage, not enjoying all the privileges of the mistress of the house, or the wife properly so called; but still lawful or legitimate wives: for, as Saint Augustine saith, "in Scripture phraseology, every concubine is a lawful wife; but every wife is not a concubine."

It is true indeed that in this same Homily, in the very next page, there are some expressions and inferences which seem inconsistent with the above sentence, implying that Abraham and Jacob did do something wrong in the matter of their concubines : to this latter part of the Homilist's commentary I shall return further on. For the present, I beg to call attention to the assertion quoted above : and as I believe that assertion is perfectly true, and consistent with the testimony of the Bible generally, and also that the present state of public opinion on this subject is still unduly prejudiced against both the name and the practice here referred to, I venture to set forth the grounds upon which I have arrived at this conclusion : not doubting indeed that these observations will meet with a very considerable amount of opposition, and it may be some strong expressions of condemnation ; but trusting nevertheless to the force of truth and straightforward arguments. It is not my intention, so far as I can help it, to make any assertion, or draw any inference, which can fairly be challenged or contradicted. I only ask of those who object to my conclusions, first of all to show that they are erroneous, to disprove them by fair argument, before they launch out into invectives against them.

II. In considering the character of this practice and the lawfulness of its adoption in the present day, two questions will arise. First, Is the practice of concubinage, as distinct from marriage, in itself contrary to the laws of God, and therefore essentially and in every shape immoral and sinful ? And secondly, if it is not so essentially immoral, is it yet inexpedient in this age, and in this country ;—so certainly, and so highly inexpedient that we should be justified in prohibiting it altogether, and punishing it as a crime, or at any rate scouting it out of decent society ? In determining the first question, we may be guided to some extent by what we know of the

laws of Nature : but the chief guide, for us at least, will be in the pages of Holy Scripture. Receiving the Bible, as we do here generally in England, as the Word of God, and as at least giving us the highest laws of Christian morality, this will no doubt be generally felt to be the most important question, What does the Bible say on this subject? This at any rate is the tribunal to which I chiefly appeal. If it is fairly shown to be condemned as immoral or contrary to the laws of God on the testimony of Scripture, I give up the case at once : no considerations of social expediency should lead us to adopt or countenance the practice, if God Himself condemns it. On the other hand, if it is not found to be condemned by the revealed will of God, so far as we can ascertain that will, nor yet repugnant to any plain laws of Nature, then I think it would require some very plain and weighty and indisputable reasons to justify us in denouncing the practice on grounds of social expediency only. It must always be dangerous for man to interfere with the laws of Nature on his own responsibility, and guided by his own wisdom only ; especially in a matter where such universal and powerful interests and instincts are involved as in the question now before us.

There is one other advantage which may here be mentioned in referring the question mainly to the verdict of Scripture. The field of enquiry here is at least comprised within moderate limits. Indefinite as are some questions of theological controversy, and hopeless as may be any general agreement upon them, there seems no reason why it should be so in this case. What Scripture does say on this matter is so far limited in extent, and I think also not doubtful in character, that something like an absolute and general agreement ought to be arrived at in a short time, by those at least who are able to give an impartial, unprejudiced, and unfettered consideration to

the subject. But on the question of social expediency, we enter upon such a wide, unlimited field; it is so impossible for human foresight to see clearly, and rightly to appreciate all the effects that would ensue upon such a change of public opinion and practice as is here suggested, that evidently there is much less ground for expecting anything like a general *consensus* among those who chiefly look at the question from this point of view. Nevertheless, on this part of the subject, there are some facts of daily occurrence, of obvious and serious importance, to be taken into account; and which we desire at a future time to urge upon public notice. But for the present, we shall avoid dwelling upon this part of the subject, in order that attention may be first concentrated upon the simple issue of the Scriptural argument. If anything like a clear refutation of our present arguments and conclusions can be produced, showing, that is to say, that these things are really and essentially sinful in God's sight, we shall not trouble the world with any defence of them on the lower grounds of expediency.

III. One other preliminary remark may also be made here. The sentence quoted above from the Homily speaks of "many wives and concubines;" and some persons appear to think that the practice of concubinage is only one of the accompaniments of polygamy, and is therefore to be dealt with only as a branch of that wider subject. This, however, is not exactly the case. Wherever polygamy has been permitted as an institution, probably the lower form of union with concubines has generally been included. But on the other hand, concubinage may exist without polygamy. We shall find that there was a time when a man was allowed to take to himself either a wife or a concubine, provided only that he restricted himself to one woman: and with this limitation only he was admitted to communion in the Christian Church. The two ques-

tions therefore, though no doubt closely connected together, are not identical. The sanction of polygamy, it may be said, generally, though not necessarily, implies also the permission of concubinage : but not *vice versâ*. It is this latter practice, concubinage, that I propose chiefly to deal with in this essay : and cases of polygamy will be referred to only subordinately to the main subject.

CHAPTER II.

THE OLD TESTAMENT : PATRIARCHAL PERIOD.

FIRST then, as a question of Christian morality, what do we learn from the Bible itself on this subject of concubinage?

In proceeding to examine fully and impartially into the testimony which the Bible affords, we might begin at the beginning, namely with the first institution of marriage at the creation of Adam and Eve. There are, however, some expressions recorded in connexion with this event which are not a little obscure, and such that, taken by themselves, we could hardly draw any sure inference from them. As we find these expressions referred to by our Lord in the New Testament, it will probably be more convenient to consider them in connexion with that part of Holy Scripture, and with the advantage of such additional light as is there thrown upon them.

There is one other instance in the Ante-Diluvian period to which we may here briefly refer, though it belongs properly to the subject of polygamy, not of concubinage: this is the case of Lamech, the fifth in descent from Cain, who took two wives, Adah and Zillah, and is therefore the earliest polygamist on record. In the Scriptural account of his history (Genesis iv. 19-24) nothing at all is said directly, in the way of censure or otherwise, in reference to his conduct in this respect. But an occasion is mentioned on which Lamech declares in a somewhat poetical form,

“I have slain a man to my wounding, and a young man to my hurt;”

and some Commentators are disposed to connect this homicide with his polygamy, as if one were the cause of

the other. The general opinion however appears to be that the whole narration is altogether too brief and too obscure to warrant us in pronouncing any certain judgment upon the case. The phrase, "to my wounding, to my hurt," is considered rather to mean, "*for* my wound, *for* my hurt," *i.e.*, on account of a wound given to me; so that on this ground Lamech claims justification and protection for himself much more than was due to Cain.

But although this particular circumstance is involved in some obscurity, and although no definite judgment is pronounced upon Lamech's polygamy, the history tells us of the children who were born of his two wives, and speaks of them in a sense which does not seem doubtful. "Adah bare *Jabal*; he was the father of such as dwell in tents, and of such as have cattle. And his brother's name was *Jubal*; he was the father of all such as handle the harp and the organ (or stringed and wind instruments of music). And Zillah, she also bare *Tubal-cain*, an instructor of every artificer in brass and iron: and the sister of Tubal-cain was *Naamah*." Here are three sons named; *Jabal*, eminent in the breeding and management of cattle: *Jubal*, the inventor of musical instruments, and therefore probably the first who knew anything of music in a definite form: and *Tubal-cain*, the father of the mechanical arts, the first who manufactured tools of brass, or copper, and iron. It seems clear enough that these inventions and accomplishments of the sons of Lamech are here mentioned as matters of praise and distinction; matters, the importance of which was even then recognised in promoting the refinement and advancement of mankind, and which will certainly not be generally undervalued now. And therefore we must here venture to differ from the learned Bishop of Lincoln, who appears to see nothing but what is censurable in the whole history of Lamech, his family, and their inventions.

However, without further dwelling upon this very ancient record, and not desiring to build up any arguments upon statements so brief and uncertain as these, we proceed now to consider some instances related in Scripture where much fuller light is thrown upon the subject in question.

A. ABRAHAM AND HAGAR.

The first example of concubinage that we meet with is that of Abraham and Hagar; and this is not only the earliest instance of this practice recorded, but from the full account given of the transaction, from all the circumstances connected with it, and from the very high, the pre-eminent position occupied by this patriarch, it must be considered the most important case in determining the question before us. The circumstance is related as follows in the sixteenth chapter of Genesis, verses 1—4 :—

“Now Sarai, Abram’s wife, bare him no children : and she had an handmaid, an Egyptian, whose name was Hagar. And Sarai said unto Abram, Behold now, the Lord hath restrained me from bearing ; I pray thee, go in unto my maid ; it may be that I may obtain children by her. And Abram hearkened to the voice of Sarai. And Sarai, Abram’s wife, took Hagar, her maid, the Egyptian, after Abram had dwelt ten years in the land of Canaan, and gave her to her husband Abram to be his wife. And he went in unto Hagar, and she conceived.”

By this connexion, Hagar became what is called in Scripture the *concubine* of Abraham : this term (in the Septuagint, *παλλακή*,) being used in various places in the Sacred Writings, with a definite meaning, implying a wife of secondary rank. We shall not however, stop here to examine the precise meaning of the *word* : the conditions belonging to this relationship will be matter for subsequent enquiry ; but the primary question here is as to the *act itself*. Did Abraham do anything that was wrong,

sinful, or immoral in this action? Did he commit an offence in the sight of God? Many persons will think the Sacred Writings leave no room for two opinions on this subject. Nevertheless, some modern Commentators have ventured to condemn the patriarch to a serious extent. The following passage appears fairly to express the opinions held by more than one writer of repute :—

“This [the suggestion of Sarai] was doubtless the effect of sinful impatience on the part of Sarai, and was agreed to with what cannot be considered as an innocent acquiescence upon the part of Abram. Like most other sinful compliances, this act of the patriarch was succeeded by vexation and punishment. Insolence and contempt took possession of the handmaid; jealousy and discontent assailed her mistress; while for nearly fourteen years all personal manifestations of the Almighty to His faithful, but in this instance, erring servant, were suspended. We do not mean to *assert* that the long intermission of the delightful manifestations with which Abram was favored by the great Jehovah was intended as the punishment of this offence; but it appears neither unscriptural nor unreasonable to conclude that it was so, when we remember how often, in all ages, similar conduct has been followed by similar results, and ‘men’s sins have separated between them and their God, and hid as it were His face from them.’”*

A judgment of this kind appears to be based upon some general considerations of the laws of marriage, viewed perhaps in the light of modern ideas: but so far as the direct testimony of Scripture goes in reference to this particular case, I do not hesitate to say that it is utterly unwarranted, unsupported by any statement of Scripture either in immediate connexion with the history, or elsewhere. Scripture, however, does not leave us without sufficient materials for forming a clear judgment on the matter.

* Twelve Lectures on the History of Abraham, by the Rev. Henry Blunt, M.A., Rector of Upper Chelsea. 1834.

1. In the first place we may observe that previous to this event, three distinct revelations from Almighty God to Abram are recorded in the Book of Genesis, viz., in chapters xii., xiii., and xv. ; on each of these occasions the subject of Abraham's children and their inheritance is alluded to, a subject which occupies a prominent place in all God's interviews with this patriarch. From these repeated opportunities of intercourse with the Almighty, (and there may have been many others during this period which are not specially recorded,) we cannot suppose that Abraham was left in ignorance of the Divine Will on any of the most important points connected with the subject of marriage, such as adultery, polygamy, and concubinage. Some parts indeed of God's Moral Law appear to have been not clearly revealed till later ages ; some, not till they were made known by the personal teaching of the Lord Jesus Christ himself. But on many points connected with our present subject, we have distinct evidence about this period of God's law being known, and His displeasure manifested at violations of that law. Twice in the history of Abraham, and once in that of Isaac, there was an imminent danger of adultery ; and the circumstance is referred to, not as if the parties were ignorant of the nature of this crime, but as perfectly understanding it. The sins and punishment of Sodom and Gomorrah are recorded ; the incest of Lot's daughters is related as a plain act of wrongdoing,—an act which that righteous man would clearly never have consented to in his sober senses ; though no sin is imputed to Lot personally, as some writers have asserted ; and for this plain reason, that he was not a conscious or consenting party to the act. Later on, we have the offences of Er, and Onan ; of Judah and Tamar ; of Reuben and Bilhah ; all recorded with condemnation more or less strongly expressed. And in all these cases we see that the laws of intercourse between the sexes were

not only well known at that period, but that they were also substantially identical with the principles which we now acknowledge and obey as being of divine authority. What reason then have we to suppose that the divine law in the matter of concubinage was either unknown to Abraham and his immediate descendants, or was different *then* from what it is *now*? If at least any assert that it is different *now* from what it was *then*, *that* I say remains to be proved: the presumption at any rate is otherwise. Of this point however we shall say more hereafter.

To suppose that he knew the act to be wrong, and yet yielded like Adam to temptation, sinning against his own conscience, is indeed a *possible* hypothesis; for we are not to consider even Abraham as being without sin. But it is obviously a very *improbable* supposition, and one that we should not be at all justified in adopting without very clear proof. In this case we should at least expect to find, as in Adam's case, some rebuke or correction from the Almighty, and some clear record of his repentance. Nothing of the kind is to be found in these pages of his history, but very much which entirely negatives such a theory.

II. The first divine revelation recorded after the conception of Hagar, was given not to Abraham, but to Hagar herself. When Sarai her mistress, not without some provocation, dealt hardly with her, she fled from her face. And the angel of the Lord found her by a fountain of water in the wilderness, by the fountain in the way to Shur. This then would be the occasion when we might certainly expect some expression of the divine judgment upon the act which had lately been committed. It is an important occasion, signalized by the first recorded appearance of the "Angel-Jehovah," or Angel of the Lord: every sentence may well be weighed in a matter which has given rise to such opposite conclusions.

The Angel said, "Hagar, Sarai's maid, whence comest

thou, and whither wilt thou go? And she said, I flee from the face of my mistress Sarai. And the Angel of the Lord said unto her, Return to thy mistress, and submit thyself under her hands." We may note here, in passing, that this throws some light upon the condition of a concubine in those days, at least of one in Hagar's position; namely, that being a bondwoman previously, she still continued in that state: she was still commanded to submit herself to her mistress Sarai. This shows then that her connexion with Abraham did not make her his wife in the *full sense* of the term, did not give her all the social rank and privileges of a wife; though in a limited sense she was entitled to the name. So far, though there may be something like a reproof for despising her mistress, there is no rebuke on the main point.

"And the Angel said unto her, I will multiply thy seed exceedingly, that it shall not be numbered for multitude." As to the nature of this declaration, there can be no doubt. In all periods of the Old Testament history, the promise of a numerous progeny was esteemed a blessing direct from the Lord, and to women especially, the most coveted of all blessings.

"And the Angel of the Lord said unto her, Behold, thou art with child, and shalt bear a son, and shalt call his name Ishmael [*i.e.* God shall hear] because the Lord hath heard thy affliction. And he will be a wild man; his hand will be against every man, and every man's hand against him: and he shall dwell in the presence of all his brethren." This completes the Angel's message. The remarkable fulfilment of this prediction in the history of various tribes of the Arabs descended from Ishmael, has been generally noted, and cannot be considered otherwise than a strong proof of the truth and inspiration of this narrative. The destiny here indicated for Hagar's children is not one of the highest order; the chief blessing at that time was

reserved for Isaac: but no one will say that the Angel's words were intended to imply *a curse*; there is no indication of God's displeasure following an act of sin; there are no reproaches such as would generally in the present day be heaped upon the head of a woman in her position, the very dread and expectation of which has driven thousands to despair. Such was not the effect produced in Hagar's mind by the living Angel of the Lord. "She called the name of the Lord that spake unto her, Thou, God, seest me: for she said, Have I also here looked after him that seeth me? [or as some interpret, Do I still live after seeing God?] Wherefore the well was called, Beer-lahai-roi. And Hagar bare Abram a son: and Abram called his son's name which Hagar bare, Ishmael. And Abram was fourscore and six years old, when Hagar bare Ishmael to Abram."

III. The next divine revelation is recorded in the following chapter: but though an interval of thirteen years is placed between the two narratives, it by no means follows that Abraham was left without any special communion with his God during all that period. To assume that this was the case, simply because no positive act of communion is recorded, and to found an argument upon this assumption, with an inference condemnatory of the patriarch, such as is contrary to everything actually related about him,—this is a kind of reasoning which will not carry much weight with any persons of impartiality and intelligence. But, whatever may have been the facts of this unknown period, about which it is useless for us to speculate, the more important question now is, What was the nature of that divine vision or revelation to Abraham, the first which is recorded after the affair of Hagar?

Genesis xvii. I, etc. "And when Abram was ninety years old and nine, the Lord appeared to Abram, and said unto him, I am the Almighty God; walk before me, and be thou perfect.

And I will make my covenant between me and thee, and will multiply thee exceedingly. . . . And thou shalt be a father of many nations, neither shall thy name any more be called Abram, but thy name shall be Abraham ;" etc.

But we need not repeat the chapter word for word. The covenant of circumcision is instituted ; Sarai's name also is changed, with a promise of a son to be born of her. Abraham intreats for a blessing upon Ishmael also ; and the answer is, " As for Ishmael, I have heard thee ; behold I have blessed him, and will make him fruitful, and will multiply him exceedingly." And lastly, Abraham himself, and Ishmael his son, and all the men of his house, are admitted into the divine Covenant by the appointed rite of circumcision.

Now in all this history, the importance of which can hardly be overrated if there is any truth at all in the Bible, in this detailed account of a direct and personal act of communion or intercourse between Almighty God and His favoured servant, we must ask emphatically, and claim an answer from every one who disputes the soundness of our conclusions — Where is the slightest indication of God's displeasure, either that He was then, or at any time had been displeased with the conduct of Abraham in regard to Hagar? On another well known occasion we read, " But the thing that David had done displeased the Lord : " and as we have already noticed, there were many occasions of His displeasure recorded in the Book of Genesis, two especially in connexion with Abraham himself, and on the subject of adultery. Where is there anything like this stated in reference to our present subject?

Clearly, there is nothing of the kind. And not only is there this *negative* testimony, in the absence of positive censure : but all that is related is entirely inconsistent with any such presumption. Who, then, with this evidence before him, will venture to pronounce that condemnation of the

great Patriarch, which the Sacred Historian has not pronounced,—which God Himself has not pronounced, if any reliance is to be placed upon this history?

iv. The next circumstance of importance bearing upon our present subject is related in the 21st chapter of Genesis. Sarah had borne her promised son, Isaac; and on the day that Isaac was weaned, Abraham made a great feast. Perhaps on this occasion, or possibly soon after, "Sarah saw the son of Hagar the Egyptian, which she had borne unto Abraham, mocking. Wherefore she said to Abraham, Cast out this bondwoman and her son; for the son of this bondwoman shall not be heir with my son, even with Isaac. And the thing was very grievous in Abraham's sight, because of his son. And God said unto Abraham, Let it not be grievous in thy sight because of the lad, and because of thy bondwoman: in all that Sarah hath said unto thee, hearken unto her voice; for in Isaac shall thy seed be called. And also of the son of the bondwoman will I make a nation, because he is thy seed. And Abraham rose up early in the morning, and took bread and a bottle of water, and gave it unto Hagar, putting it on her shoulder, and the child, and sent her away."

This passage is important in reference to the question of divorce and separation, which we shall have to consider more fully hereafter.

By this dismissal, Abraham's conjugal connexion with Hagar appears to have been finally terminated; we might indeed infer from the history that it was not renewed after the birth of Ishmael. The grounds of the dismissal are not very clearly stated: our Version says that Sarah saw Ishmael "mocking;" the Septuagint says, "playing with Isaac;" St. Paul interprets the matter as "persecuting Isaac;" it was something which gave offence to Sarah, though apparently Abraham did not consider the matter so serious as to require that instant dismissal which his

wife insisted upon. The truth is probably that Sarah spoke from an instinct or intuition that she had gained from the previous revelations of Almighty God, and that her words were therefore prophetic,—“the son of this bondwoman shall not be heir with my son, even with Isaac.” But howsoever this may be, the important point for us to notice here is that Hagar was not dismissed on the ground of any conjugal unfaithfulness or adultery. Moreover we see that the dismissal under the existing circumstances was not only sanctioned, but was even commanded by God Himself to Abraham; “in all that Sarah hath said unto thee, hearken unto her voice.” It was in direct obedience to this divine command that Abraham rose up early in the morning, and took bread and water, and gave them unto Hagar, with the child, and sent her away.

The provision which he gave her may appear at first sight, under the circumstances, somewhat scanty. It is not improbable that at a future time, he gave her further assistance; for we are told that to the sons of his concubines he gave gifts, and sent them away from Isaac (xxv. 6). But for the present he supplied her with enough for her immediate necessities, bread and water; and for the rest, there was a special promise from Almighty God that He would care for Ishmael as well as for the bondwoman, a promise which was duly fulfilled, though not without another season of trial. “And God was with the lad.” By the law of Moses, as we shall see by and bye, it was ordered that “a bastard,” the son of a harlot, should not come into the congregation of the Lord, even to his tenth generation. Clearly Ishmael, the son of a concubine, was not reckoned in this category. We may observe also, before leaving this subject, that although Ishmael was not allowed to remain a member of Abraham’s domestic circle, his kinship and society were not repudiated by the other members of the family. When Abraham died in a good old age, his sons

Isaac and Ishmael buried him. And afterwards, Esau, with the express desire to please his father Isaac, went unto Ishmael, and took Mahalath, the daughter of Ishmael, to be his wife. (*Gen.* xxviii. 9.)

We need not dwell now on the remaining history of Abraham's life, as presented in the succeeding chapters of the Book of Genesis. The book is open to all the world: it is enough therefore to say here that God's favour to the patriarch is clearly asserted throughout, and not one single expression is to be found denoting that Abraham had been guilty of any transgression in this particular matter. Nor is there anything of the kind to be found in any other part of the Old Testament; although the life of this patriarch, and his relation to the Lord Jehovah, occupy so prominent a place throughout the inspired volume.

v. The position assigned to Abraham in the New Testament is not less exalted than in the Old. The Gospel opens with "The Book of the Genealogy of Jesus Christ, the son of David, the son of Abraham." His exaltation to the heavenly mansions is distinctly asserted by our Lord Himself, and in a most remarkable manner, in the well known history or parable of the Rich Man and Lazarus. St. Paul explains that all those are his spiritual children who walk in his footsteps and in his faith. But the most conclusive testimony in regard to the point we are now considering is this Apostle's direct reference to the case of Hagar, in his Epistle to the Galatians (*Gal.* iv. 21—31):—

"It is written (he says) that Abraham had two sons, the one by a bondmaid, the other by a freewoman. But he who was of the bondwoman was born after the flesh; but he of the freewoman was by promise. Which things are an allegory: for these are the two covenants; the one from Mount Sinai, which gendereth to bondage, which is Agar. For this Agar is Mount Sinai in Arabia, and answereth to Jerusalem which now is, and is in bondage with

her children. But Jerusalem, which is above, is free, which is the mother of us all."

That is to say, Abraham's connexion with Hagar, and the children descended from her, were types of God's first Covenant with the children of Israel, proclaimed at Mount Sinai, and ratified with all the ceremonies and obligations of the Law; a Covenant essentially of spiritual bondage, and also intended to be of a temporary nature, as signified by the casting out of Hagar. His Covenant with His spiritual children, the true Church of Christ, was typified by the birth of Isaac, the son of the free woman. This passage is on many accounts very remarkable and important. It is not given, as St. Paul occasionally writes, as being merely his own private opinion; it is declared with as much authority as any part of his writings. And it is important, not only as giving us this authoritative interpretation of that particular event in Abraham's life, but also as giving us a clue whereby we learn to understand much of the Old Testament history with a deeper interest than we should otherwise find in it, as typical in various ways of our own spiritual life. In this respect it may be compared with St. Paul's exposition of the history of the Israelites in the passage of the Red Sea, etc. (1 Cor. x. 1), and several other places of his writings. But the chief point in which this passage bears upon the question now before us is that it declares Abraham's conduct in reference to Hagar to have been an appointed type of God's own dealings with His earliest church, the Jewish people; and this too from first to last, both in the procreation of Ishmael, and also afterwards in the sending him away, with his mother.* With this testimony before us, can any one who

* The various analogies presented to us in Scripture on this point are very remarkable, and cannot be regarded as merely accidental or figurative. 1. First we have here the temporary Church of God under the Covenant of Circumcision, typified by the concubine Hagar;

pays the least deference to St. Paul's authority, venture to say that there was anything unholy or immoral in that transaction?

The Bishop of Lincoln (Wordsworth) says, in his Annotations upon *Genesis* xvi., "God overrules evil for good, and elicits good from evil; and in the relation of Abraham to Hagar and to Sarah, the Holy Spirit has been graciously pleased to point out a typical foreshadowing of God's dealings with mankind, first under the Law, and next under the Gospel." And again, "Perhaps the long term of fourteen years during which he waited for the fulfilment of God's promise was like a penal discipline for this compliance with the request of his wife; and the unhappy bickerings between Sarah and Hagar,.....and even between Sarah and Abraham himself, are—like the sins of Lamech the first polygamist—recorded by the Holy Spirit as striking evidences of the unhappy fruits of polygamy."*

With all the respect due to such a high authority, we must say that these remarks scarcely seem to meet the facts of the case. The sins of men no doubt are frequently made to work out the purposes of Almighty God: but can any other instance be shown where the sins of men are declared to be, or may be understood to be, appointed types of God's own doings? There was no overruling of evil

(Τὸ γὰρ Ἄγαρ . . . συστοιχεῖ τῇ νῦν Ἱερουσαλήμ) indicating a condition of a subordinate or inferior character, but still not on that account unlawful or unholy. 2. The better covenant of the Gospel is represented by the higher bond of *marriage*, "signifying unto us the mystical union that is betwixt Christ and his Church." Cf. *Ephes.* v., *Rev.* xxi., etc., etc. 3. Idolatry, false religions, and especially *corruptions of the truth* are repeatedly designated in Scripture as spiritual adultery, and fornication. Thus, *Psalms* cvi. 38, "Israel went a-whoring with their own inventions"; *Jer.* iii. 8, 9, "Judah committed adultery with stocks and stones": *Rev.* xvii., "Babylon, the mother of harlots, drunken with the blood of the saints," etc., etc.

* The Holy Bible, with Notes, etc., by Christopher Wordsworth, D.D., Lord Bishop of Lincoln. 1864.

for good here in St. Paul's view of the case; but rather, Abraham was acting under divine guidance as surely (though perhaps unconsciously) as when, in that other great type, he "took the knife to slay his son." The other remarks, as to the subsequent bickerings, etc., being recorded for the sake of pointing a moral against polygamy, seem also to need one thing to justify them, viz., some proof that polygamy was sinful or forbidden. The simple explanation seems to be that the dismissal of Hagar, which might have seemed a trifling matter, is shown by St. Paul's exposition to have been an event of real importance, and very necessary to be recorded; and the previous "bickerings" are naturally mentioned to explain and lead up to this circumstance.

vi. So far then as the *direct* testimony of Scripture goes, I repeat there is no passage to be found anywhere, either in the Old Testament or the New, which condemns the conduct of Abraham in this matter; a fact which will readily be admitted by every one who is moderately familiar with his Bible: and the truth of this assertion, if further confirmation be wanted, may be seen in the circumstance that the eminent Commentator just quoted, though he himself judges adversely of the patriarch, does not adduce any passage of Scripture to support his condemnation. While on the other hand, we have seen that everything that is related in connexion with this event—and that is not a little—is inconsistent with such a judgment.

Nevertheless, modern writers and divines appear generally to insist upon condemning the patriarch on various grounds. One thinks that "Abraham in his day was just what the Turk is now, merely doing what was commonly done around him." This, however, is hardly consistent with the Scriptural account of his life, and of the intimate communion he was allowed to enjoy with his Maker, and especially with the fact of his *call* to leave his native

country: by which proceeding commentators generally understand that God designed to separate him from the idolatry or superstition to which he may have been accustomed in Ur of the Chaldees; and if from idolatry, we should suppose also from any other prevalent and serious errors of morality.

VII. But the most general hypothesis seems to be that such things as polygamy and concubinage were then only *tolerated*, "winked at," by God in the times of men's ignorance, but were not approved of by Him: and that *now*, "they are repugnant to all public honesty." It will be more convenient to deal fully with this hypothesis further on, when we come to view the question by the light of the New Testament: for the present, as the sentiment is probably very general, and carries much weight with many persons, we will make one or two remarks upon it in this place.

The world, they say, is in continual progress; and just as God taught the Jews to offer a material worship until the time was ripe for teaching them to worship more purely in the Spirit, so he *permitted* them to practise polygamy and concubinage, until the days of the Gospel, when Christ restored marriage to its primitive state, namely of monogamy.

There is, no doubt, a great foundation of truth in the principle here asserted: but in applying it to any particular case, one or two conditions seem clearly necessary.

(1.) First, if it is said that God *tolerated* any particular practice in ancient times, so far that His positive sanction and permission were given to it, this could only be in regard to some matter that was not in itself actually sinful and inconsistent with holiness. For instance, we cannot conceive God's sanction being given to adultery, fornication, idolatry, falsehood, and such like. God's forbearance suffered such sinners to live for a limited period;

but it cannot be said that He ever *sanctioned* such things, especially among His own chosen people, or those to whom His will was specially revealed.* And the more highly that any individual was favoured with divine grace and knowledge above his fellows, the more strictly would this rule be applied. In regard to the heathen only, to whom the knowledge of God's laws was not directly revealed, St. Paul's expression that God "winked at," i.e. *overlooked* or *tolerated*, the works of ignorance can properly be applied.

(2.) Secondly, if it is said that this permission was given in the earlier times, but revoked afterwards under the Gospel, it is incumbent on those who argue thus to show very clearly *that it was revoked*; otherwise the presumption remains in its favour. Such was the case with the ceremonial parts of the Mosaic Law, including the rite of circumcision: so with the "lex talionis," eye for eye, tooth for tooth, included in the law of Moses, but partly overruled by the direct words of Christ.† Whether there is sufficient evidence of such revocation in the matter of concubinage, we are to enquire hereafter. For the present I think we may take this as an established fact on the authority of

* The one or two cases which seem exceptions to this rule are among the "difficulties of Scripture" which yet remain to receive a satisfactory solution. Such is the deceit of Jacob towards his father Isaac, which did not receive the reprobation it would seem to have deserved. Another more "difficult" case is the treachery of Jael towards Sisera, with its subsequent commendation in the Song of Deborah.

I need not dwell upon the solutions which have been offered of such difficulties; but the very impatience with which they are commonly regarded shows them to be just such rare exceptions as "prove the Rule."

† Partly, not absolutely. Christ bids His disciples not to seek retaliation from personal feelings of revenge; but He does not overrule the duty of the Magistrate to enforce this law as a matter of public justice—a sound principle which might often be applied still, with unquestionable justice, and probably with very wholesome effect.

the Bible, that in the case of Abraham and Hagar the state of concubinage was not *overlooked* by God, and was not condemned by Him, nor in any way censured as sinful, immoral, or dishonourable.

The character and position of Abraham are so pre-eminent in the Sacred Volume, that this example, even if it stood *alone*, might fairly seem sufficient to distinguish this practice from such gross and forbidden crimes as fornication and adultery. But it does not stand alone. We therefore proceed to notice some other instances of the practice recorded in the Old Testament: and also to see what regulations were made on the subject by the Laws of Moses.

CHAPTER III.

PATRIARCHAL PERIOD (*continued*).

B.—NAHOR.

THE next instance mentioned in point of time after the case of Hagar, is that of Nahor, the brother of Abraham.

Genesis xxii. 20-24.—“It came to pass after these things that it was told Abraham, saying, Behold Milcah she hath also borne children unto thy brother Nahor ; Huz, his firstborn, etc.

“And his concubine, whose name was Reumah, she bare also Tebah, and Gaham, and Thahash and Maachah.”

This record, brief as it is, yet supplies some materials for forming a judgment on the practice in question.

1. It shews that the distinction between a wife and a concubine was clearly recognised at that early period. Whether the practice of concubinage was already common before the days of Abraham, as some persons suppose ; or whether Nahor took his example from the case of Hagar, as his first precedent, as appears not improbable, is a point not clearly stated in Scripture, and which therefore we cannot determine with certainty ; nor does it appear to be of any material consequence. If it were *then* already an *ancient* custom, that would carry back its usage to the days of Noah himself, or his immediate descendants ; * a strong additional authority in its favour. But at least it is mentioned in connexion with Nahor, as being a known or recognised practice at that time.

* Shem lived five hundred years after the Flood (*Gen.* xi. 10). According to the shorter system of chronology adopted in our Reference Bibles, the interval from the Deluge to the Call of Abraham was about 427 years: according to the longer system of chronology, (based chiefly upon the Septuagint,) the interval was 1077 years.

II. It is related also without any token of disapproval. The fact is stated as a simple matter of history, requiring no more comment than the verses preceding. Can we suppose the sacred historian would have related it in this simple form if he had looked upon it as a grievous error, or transgression of the Divine Law?

III. In the case of Nahor, there was not the same reason existing to urge him to the act, as in the case of Abraham, namely, the barrenness of his lawful wife.

IV. And fourthly, we may observe that Abraham himself did not see any serious fault in his brother's conduct, nothing which should cause him to repudiate the ties of brotherhood and affection. It was *after* the report of his brother's family had reached him, that he sent his servant with so much earnestness to the city of Nahor, to find a wife for his son Isaac.*

* There is also another example belonging to this period which we had rather overlooked when writing the above text, but which is quoted by Madan in his "Thelyphthora," and which on further consideration appears sufficiently important to deserve some notice. This is the case of Abimelech, king of Gerar, who was on the point of committing adultery with Sarah (Genesis xx.). On this case we note here briefly,

(1) That God withheld Abimelech from sinning in regard to Sarah, because "she was another man's wife:" but He acknowledged that Abimelech had acted herein with "a pure heart." Yet Abimelech had already a wife of his own; and no offence is imputed to him on this ground.

(2) After Sarah was restored to her husband, "God healed Abimelech, and his wife, and his maidservants; and they bare children." These 'maidservants,' it is pretty clear, were Abimelech's concubines. If so, this passage gives a direct and positive sanction both to polygamy and concubinage. It also favours the theory that concubinage was already a recognised custom before the affair of Hagar took place.

We take this opportunity of referring more particularly to the work above mentioned, entitled "Thelyphthora," published by the Rev. Martin Madan, just one hundred years ago, in 1780. Any persons who are acquainted with that work will find so much of its substance repeated in these pages, that they may suppose we have plagiarised

C.—ABRAHAM AND KETURAH.

1. The course of the history now brings us back again to the life of Abraham. After relating at some length the death and burial of Sarah, and the mission of a servant to fetch Rebekah, it proceeds (*Gen. xxv. 1, 2*) :—

“Then again Abraham took a wife, and her name was Keturah. And she bare him Zimram, and Jokshan and Medan and Midian, and Ishbak and Shuah.”

Abraham took a wife, Keturah : but it appears that she was not a wife of the first rank, like Sarah : but only of that secondary rank of which we are now treating, namely, a concubine. Three verses further on in this same chapter we read (*ver. 5, 6*) :—

“Abraham gave all that he had unto Isaac. But unto the sons of the concubines which Abraham had, Abraham gave gifts, and sent them away from Isaac his son, while he yet lived, eastward, unto the East country.”

The only two wives of Abraham, besides Sarah, that are mentioned in Scripture are Hagar and Keturah ; and these therefore must be the concubines alluded to in the above sixth verse. And so we read in the *First Book of Chronicles* i. 32 :—“The sons of Keturah, Abraham’s concubine ; she bare Zimran and Jokshan, etc.” It is not merely the *name*, however, which determines her position : the more important fact is that the sons of Keturah were treated not as the children of a married wife, but only as those of a concubine ; not on a level with Isaac, but with Ishmael. Abraham made suitable provision for them in his lifetime, but did not allow them to

most of our arguments from that learned author. We therefore desire to state that every page of this book (with the exception of this note and one or two others,) was written before we had ever heard of that older work : and that therefore, whatever agreement is found between the two is simply due to the fact that we have both drawn the same inferences from the same plain facts of Scripture.

remain to share in the paternal inheritance. And this is a point of considerable importance : it shows that the distinction between a wife and a concubine was not merely of a slight or superficial nature, but was a very substantial distinction ; a fact which we shall find corroborated on many occasions hereafter.

11. This circumstance of Abraham's union with Keturah, and his third family by her, coming apparently towards the close of his life, and long after he had thought himself almost too old to have children, is no doubt somewhat surprising : to some, the surprise has seemed so great that they have thought "that the passage commencing with xxv. 1, and comprising perhaps the whole chapter or at least as far as verse 10, is placed out of its chronological sequence, in order not to break the main narrative ; and that Abraham took Keturah during Sarah's lifetime."* A full consideration of the probabilities of the case will, in my opinion, by no means bear out this hypothesis ; which, as the writer tells us, is opposed to the opinion of the learned Gesenius and others. The point indeed would not seem to be of much importance, nor to affect the course of our present argument, were it not that some writers seem to treat the question of concubinage as inseparable from that of polygamy : and one has even ventured upon the assertion that "concubinage without a wife never occurs in the Old Testament : " an expression which if it simply means that no such case is *distinctly recorded* in the Old Testament, does not appear to have much weight, even if it be correct ; but which, if it means that no such case ever occurred during the period of Old Testament history, is rather a bold assertion. Without dwelling at length, therefore, upon the *probabilities* of the case, we may here notice one clear mark of time which seems to cut away the main ground upon which the above-mentioned hypothesis is founded.

* Smith's "Dictionary of the Bible" (Keturah).

In *Genesis* xxii., God said to Abraham, "Take now thy son, *thine only son Isaac*, whom thou lovest," etc. Isaac was then his *only* son: for Ishmael *was gone*; and evidently Zimram and his brethren *had not come*. This transaction is placed in our marginal chronology (on the authority of Josephus) in the twenty-fifth year of Isaac's age, i.e., the 125th of Abraham's, about ten or twelve years before the death of Sarah. It could hardly have been earlier. It would seem not unlikely then that Abraham might have taken Keturah soon after that renewal of the promise at Mount Moriah, "I will multiply thy seed." At any rate, it must have been long after the day when Abraham had "laughed, and said in his heart, Shall a child be born unto him that is an hundred years old?" And therefore we see no sufficient reason for making such a great dislocation of the Scripture narrative as is proposed in the above quotation. Moreover, whether Abraham took Keturah a short time *before*, or a short time *after* the death of Sarah, it is sufficiently clear that Keturah survived and was bearing children for some considerable time after that event: and yet so long as she lived, there is no reason to suppose that she ever attained to the rank and dignity of a *wife*, in the highest sense of the term.

III. That Abraham had good and sufficient reasons for all that he did in taking Keturah to wife, we may well believe. For, in the first place, in that promise of Mount Moriah, "I will multiply thy seed as the stars of heaven," he received, no doubt, a sufficient warrant, if not a positive direction to enter once more upon the married state. And whatever distant and spiritual meaning may have been intended in the words of the divine voice, it is clear that a present and literal sense was also included, as is shown by the revival of his natural powers, and the birth of those six children. Why he should have taken her as a concubine only, and not as a wife, is also not difficult to under-

stand. God's promises to him with regard to his children were chiefly centred in Isaac ; and therefore,—not to speak of personal feelings which some who have been placed in a situation similar to his may well understand,—it was a duty on his part not to disturb the rights of inheritance which the Divine word had limited to that son.

iv. Such, then, being the recorded history—that Abraham in his later years took a second concubine to wife—what force does it add to our argument? It certainly doubles—and I think more than doubles—the weight of the argument which is derived from the case of Hagar. If there had been any blameable impatience on that first occasion, any “sinful compliance” with the suggestion of his wife, this cannot be imputed here. If there was ignorance of God's will on the subject when he was fourscore years old, that will hardly be said of him after so many further years of divine communion and favour. To suppose that after he had learnt that he had done wrong in the former instance he wilfully repeated the offence, is so derogatory to the character of the patriarch, and, indeed, of the whole volume of which his life is so essential a part, that I need say not another syllable in refutation. But if any persons will presume to say that Almighty God Himself tolerated and encouraged a practice which was not a matter of comparative indifference, which was offensive to Him in no minor degree, but which was a violation of His first principles in the constitution of the human race, which was virtually and essentially a course of adultery, fornication, and “deadly sin”—this is to cast an imputation upon the Divine character, of which I can only say, God forbid !
Μη γένοιτο.

D.—ISAAC.

WE are not told that Isaac followed the example of his father in the practice of polygamy, either in the form of additional wives or concubines. We are not to infer, how-

ever, from this fact that he disapproved of it in principle. There is good reason to suppose the contrary.

I. We know that his favourite son was Esau, and although he was compelled, against his inclination, to bestow his principal blessing upon Jacob, we cannot doubt that the strong mutual affection which previously existed between Esau and his father still continued after that event. It was soon after that blessing of Jacob, and Jacob's departure for Padan-aram, that we read (*Gen. xxviii. 6-9*):—

“When Esau saw that Isaac had blessed Jacob, and sent him away to Padan-aram, to take him a wife from thence ; and that as he blessed him, he gave him a charge, saying, Thou shalt not take a wife of the daughters of Canaan ; and that Jacob obeyed his father and his mother, and was gone to Padan-aram ; and Esau seeing that the daughters of Canaan pleased not Isaac his father ; then went Esau unto Ishmael, and took unto the wives which he had, Mahalath the daughter of Ishmael, Abraham's son, the sister of Nebaioth, to be his wife.”

This was evidently done with the desire to please his father ; and it shows clearly enough that Isaac did not disapprove such a proceeding, polygamous though it was.

II. Again, in regard to Jacob himself. It is clear from the passage just quoted, with its context, that the question of Jacob's marriage was one of much importance in the eyes of his father, as well as of his mother. Like Abraham, Isaac was very anxious that his son should not take a wife of the daughters of Canaan ; so much so, that in order to avoid this, he sent him away from home, to the house of Laban, the brother of Rebekah, and the grandson of Nahor—a journey of several hundred miles. At this time, we must remember, there were at least three recent instances of polygamy in the family, viz., Abraham, Nahor, and Esau. The subject, therefore, could hardly have been out of his thoughts when Isaac gave Jacob a charge concerning his marriage. If, then, he had thought it a matter of impor-

tance that Jacob should avoid this practice ; if he himself had "adhered to the practice of monogamy" on principle ; especially if he had any reason to suppose that polygamy or concubinage were things that God Himself disapproved of : we cannot doubt that he would have given directions and cautions to Jacob on these points, as much as against marrying the daughters of Canaan.

Not a word, however, is recorded of any such admonitions : and the subsequent events of Jacob's life forbid us to suppose that Isaac ever said or thought anything of the kind.

CHAPTER IV.

E.—JACOB.

1. WE come now, therefore, in the next place to consider the history of Jacob. And here it may be well to notice first one preliminary point as to the general character of this patriarch. In some respects, it does not appear to stand so high as some other saints of Bible history. His conduct in extorting the birthright from his fainting brother seems anything but generous. His management of Laban's flocks appears to show, not indeed dishonesty, but something like craft and greediness. And chiefly his deception practised upon his father, at the bidding of his mother, though reluctant on his part, involved an absolute and undeniable falsehood. Whether there is any satisfactory explanation to be given of these things, or whether they are to be accepted as actual sins or faults of character, it is not my business to determine in connexion with our present subject. The Bible certainly does not represent Jacob as free from sin, and therefore the latter hypothesis is not excluded. But whatever may have been his shortcomings from perfect righteousness, we are bound to believe that there was at least such a degree of faith and obedience or of other virtues in his character as entitled him to rank among the saints of God. Moreover, any particular faults of which he may have been guilty, though they prove that he was capable of doing wrong, do not of themselves directly prove that what he did in other matters was wrong. *E.g.*, If he sinned in deceiving his father in the matter of the venison, this does not prove that he sinned in taking two sisters to wife. This truism, simple and obvious as it seems, yet appears to have been overlooked by some persons in

the discussion of this question. The rightfulness or wrongfulness of Jacob's doings in this matter must be judged by such declarations of Scripture as have a direct bearing upon the points at issue, or at least such as are fairly pertinent to them.

II. When Isaac sent Jacob away from home soon after he had blessed him, he gave him a charge in these words :—
“Thou shalt not take a wife of the daughters of Canaan : arise, go to Padan-aram, to the house of Bethuel, thy mother's father ; and take thee a wife from thence of the daughters of Laban, thy mother's brother.” (*Gen.* xxviii. 2.) And Jacob went out from Beersheba, and went toward Haran. The first important event which occurred to him was his vision of the Ladder, whose top reached to heaven. “And behold, the Lord stood above it and said, I am the Lord God of Abraham thy father, and the God of Isaac ; the land whereon thou liest, to thee will I give it, and to thy seed ; and thy seed shall be as the dust of the earth ; . . . and in thee and in thy seed shall all the families of the earth be blessed. And behold, I am with thee, and will keep thee in all places whither thou goest, and will bring thee again into this land : for I will not leave thee until I have done that which I have spoken to thee of.” These words are important ; they speak of Jacob's children before he had seen any of those who were to become his wives ; before he could have had any idea of the peculiar circumstance which was to happen to him on the occasion of his marriage. We have to enquire how these divine promises were fulfilled.

He came to the house of Laban : he saw Rachel, “beautiful and well favoured” : he loved her. Never did filial duty and personal affection more fitly coincide. He had travelled many weary miles, with his staff in his hand, in obedience to his father's word ; and here was his reward. He gladly offered still further to serve Laban seven years

for Rachel, his younger daughter. "And Jacob served seven years for Rachel; and they seemed unto him but a few days, for the love he had to her."

Then comes that singular trick or deception practised by Laban, in substituting Leah for Rachel—a deception, no doubt, more feasible in those days, when brides were really *veiled*, "nuptæ."

And what was Laban's apology or explanation? He alleged a custom of the country, of which, no doubt, it seems strange that nothing should have been said before; though it is possible that he may have purposely concealed it in order to secure the services of Jacob for a second period of seven years: and he said, Take Leah, the eldest, first, and you shall marry her sister Rachel also immediately afterwards.

Now the important question here is, Was Laban aware of any substantial reason, in the shape of a divine command, why Jacob should not marry both Leah and Rachel together? If he knew that Jacob could not do this without violating his own religious principles, either on the ground of the polygamy, or the sisterly relation, then we must say his proceeding was one of the most unjust and cruel outrages ever perpetrated against human affections. It would not be fair to charge even Laban with such a crime without very sufficient grounds. It is clear enough, however, that Laban himself did not think he was inflicting any great wrong or hardship. To do so would not have been very consistent with his design of retaining the profitable services of his nephew for several years longer. Nor is there any evidence that Jacob felt any scruple about the arrangement. Some years afterwards, we know, he had reason to complain of Laban's treatment of him, and he expressed his grievances without reserve: but he did not count this among them, the having Laban's two daughters to wife, except so far as it had required fourteen years' service from him.

In the whole of this history then, as it is given in the writings of Moses, we must say there is no sign whatever of this double marriage being viewed as improper, either by Laban, or Jacob, or Isaac, or the sacred historian himself. There is, in short, no censure passed upon it in any part of the Sacred Volume. But when we come to modern Commentators and Teachers,—not all of them, perhaps, but probably the great majority in this country, including some of the most distinguished men of the age,—what do we find? To quote again the words of the eminent Commentator already referred to, “Here,”—says the Bishop of Lincoln, in his note on this passage, xxix. 28,—“here is a proof of the veracity of the history; Jacob’s sins are not disguised. . . . See also the inflexibility of the Levitical Law; it stigmatizes the marriages of Jacob from which all the tribes of Israel derived their origin.” Surely if so, we may ask with wonder, “Of what value was that divine promise to him? What good was it that he should become rich in flocks and worldly substance, if he was abandoned to become the victim of abominable sins, sins which he never renounced all through his life?—“I am with thee, and will keep thee in all places whither thou goest.” Is it possible to reconcile these words with such a view of Jacob’s life as we have just quoted?*

* It is not the object of this Essay to deal with the question of marriage with a wife’s sister: but as the Bishop of Lincoln says “the Levitical Law stigmatizes the marriages of Jacob,” with a reference to *Levit.* xviii. 18, we may observe that this appears to be a misapprehension of the main scope, not only of this disputed verse, but of the whole chapter. This chapter of Leviticus is directed not against any particular *marriages*, but against the sins and abominations of the Canaanites and of the Egyptians; sins which they had probably inherited from their common ancestor, Ham, the father of Canaan; and of which his sin was a sort of prototype. He uncovered, or at least, *looked on* at, the nakedness of his father. This beginning of evil developed into greater crimes among the people of Sodom and Gomorrah;

"It also reveals to us," he adds, "how this polygamy of Jacob was the cause of endless jealousies, strifes, and miseries in his family." Are these words quite consistent with the facts of Scripture? We do indeed read of jealousies and strifes in Jacob's family on some occasions; some jealousies between his two wives; some strifes and deeds of violence amongst his sons; but the most serious troubles and sorrows which befell him do not appear to have been specially due to the fact of his polygamy. Joseph was envied by his brethren, not because he was the son of a different mother, but because his father loved him above the rest, as being the son of his old age. The same sort of jealousy is often liable to spring up between the elder and younger children of a man who marries two or more wives in succession: but such successive marriages are not thereby shown to be sinful or forbidden, though in some particular cases the wisdom of them may, perhaps, be called in question. The only strifes or jealousies in Jacob's family which can justly be ascribed to his polygamy, are those little envyings between the two sisters, which are described in the beginning of the 30th chapter, and which certainly cannot be fairly characterized by the words above quoted.

But there is something more than presumptive or negative proof that these connexions were not without the sanction of

and such are the crimes denounced in this chapter of Leviticus. Hence we read, "the nakedness of thy *father* shalt thou not uncover;" "the nakedness of thy father's wife, it is thy father's nakedness:" "thy father's *brother*," &c. This then being evidently the purport of the chapter generally, if we take the 18th verse in its most simple, literal meaning, it will be most in harmony with the context, as well as free from the difficulties which seem to beset every other interpretation. At any rate, to say that Jacob's marriages with the two sisters are stigmatized as something akin to the abominations here denounced, is an assertion of too violent a character to be admitted without much clearer evidence.

Almighty God. In this passage, which describes the birth of all Jacob's children, (except Benjamin, the youngest), ch. xxix., xxx., we may observe how it is stated that "when the Lord saw that Leah was hated, he opened her womb." Again, "God hearkened unto Leah, and she conceived and bare Jacob the fifth son." And again, "God remembered Rachel, and God hearkened to her, and opened her womb, and she conceived and bare a son; and said, God hath taken away my reproach; and she called his name Joseph (*i.e.* adding); and said, The Lord shall add to me another son." These expressions are hardly consistent with the theory which stigmatizes these things as "Jacob's sins."

III. But Jacob did not stop at marrying the two sisters. The history tells us how Rachel, though the most beloved, bare him no children. She therefore said to Jacob, "Behold my maid Bilhah; go in unto her, and she shall bear upon my knees, that I may also have children by her. And she gave him Bilhah her handmaid to wife: and Jacob went in unto her. And Bilhah conceived, and bare Jacob a son. And Rachel said, God hath judged me, [*i.e.*, hath taken cognizance of my cause], and hath also heard my voice, and hath given me a son: therefore called she his name Dan (*i.e.*, judging). And Bilhah, Rachel's maid, conceived again, and bare Jacob a second son, . . . Naphtali." Then Leah adopts the same plan, and gives to Jacob her maid Zilpah, who bare him two sons, Gad and Asher.

That Jacob should have consented to these suggestions, with the example of Abraham before him, and under circumstances so very similar, is not surprising; provided, at least, that he had no reason to suppose that Abraham had done wrong in that matter. But if from any source he had learnt that Abraham had erred, either from ignorance or otherwise, then, indeed, it is very incredible that one who obtained a place of so much honour in the Sacred Annals, should have lent himself so easily to what he knew to be

wrong. We shall see, however, that so far as the history informs us, there is no more reason to suppose that Jacob was committing any offence against God in the matter of his concubines than in the matter of his wives.

First, however, in regard to these two handmaidens, we may observe the marked distinction which is shown between their position as concubines, and that of the two wives. And this is a point which it is necessary to notice more particularly on account of the disposition of some persons to ignore it, or treat the two things as practically identical. When Jacob married the daughters of Laban (xxix. 21-30), there were two matters of some importance incident to the occasion: first, a definite contract with their father by which he engaged to serve seven years for the one sister, and seven years more for the other: and next, the marriage was celebrated with due formalities, including a feast which lasted apparently not less than a week. On both these points we have other examples in Scripture, and they were probably both of them matters of very ancient and very general custom. But neither in the case of Jacob's concubines, nor of any others, is there any record or indication of either of these conditions being observed; certainly not of the latter, that is, the performance of any public nuptial ceremonies. Again, on several occasions where the wives and concubines of Jacob are mentioned together, a clear distinction is made between them. Thus, xxxii. 22; "He rose up that night, and took his two wives, and his two womenservants, and his eleven sons, and passed over the ford Jabbok." So also, xxxi. 33; xxxiii. 2, 6.

But secondly, the more important point is that no censure or displeasure from Almighty God is anywhere recorded on account of these connexions; and here again, we have not only the negative testimony of a total absence of reproof, but positive statements which are inconsistent with any such notion.

iv. During that period of the patriarch's life—the twenty years that he was dwelling with Laban—no special visions or visitations from God are recorded; but he was accumulating wealth all the time in the way of cattle; which he ascribes particularly to the favour of God's providence (xxx. 1-8). At the end of that period we read, *ver.* 3, "The Lord said unto Jacob, Return unto the land of thy fathers, and to thy kindred; and I will be with thee." And so we are told how, after parting with Laban, "he went on his way, and the angels of God met him." (xxxii. 1.)

This brings us to an important vision, and one that is in some respects one of the most remarkable of any related in the Bible.

Jacob was in great distress of mind at the prospect of meeting his brother Esau, especially when he heard that Esau was coming to meet him, and four hundred men with him. He had, indeed, much reason to fear his brother's anger, remembering how he had "supplanted" him in former years. In this imminent danger and distress, he makes an earnest appeal to the Lord God of his fathers, the God of Abraham and the God of Isaac. And then, in the solitude of the night, when he was left alone, separated by the stream of Jabbok from all his company, his wives, his children, and his household, "there wrestled a man with him until the breaking of the day." In this strange encounter, in which it is intimated that his antagonist was none other than God Himself, it is said that Jacob prevailed against him, so far as to say, I will not let thee go, except Thou bless me. "And He blessed him there." God also said, "Thy name shall be called no more Jacob; but Israel; for as a prince hast thou power with God and with men, and hast prevailed. And Jacob called the name of the place Peniel [*i.e.*, the face of God]: for I have seen God face to face, and my life is preserved."

Now, whatever may be the spiritual meanings contained

in this narration—and some of them seem sufficiently obvious—one thing at least is stated positively, “He blessed him there.” The Lord thought fit to put him through a severe trial—an *agony*, such as perhaps has no parallel on record, with the one exception in the Garden of Gethsemane; but in the end he obtained the blessing of the Most High. The cause of his distress was removed; for his brother met him with generous affection: “Esau ran to meet him, and embraced him, and fell on his neck, and kissed him; and they wept”: and he received also a permanent memorial of his successful struggle in the divine name of *Israel*.

And what were the circumstances of Jacob's life at this particular time? The verses immediately preceding this account of the vision (above quoted) plainly tell us:—“He rose up that night, and took his two wives, and his two women servants, and his eleven sons, and passed over the ford of Jabbok.”

So then, neither his wives nor his concubines, neither his polygamy nor his “incest,” prevailed to shut him out from the most intimate communion with his God, nor to rob him of God's blessing. “He blessed him there.” Not a word is said of any error that he had committed in these respects; not a word of any direction to put away his wives. No change was made after the vision in his domestic relations. He had one more son born to him a few years later by his wife Rachel, the wife whose connexion is deemed “incestuous.”

Again then, I ask, if this history of Jacob is inspired, and if there is any substantial truth in that vision at Peniel, is it not a very serious thing for any man to say, in the very teeth of that record and that blessing, that either his wives or his concubines were in any way sinful, incestuous, or unholy in the sight of Almighty God? Surely anyone who makes this assertion might remember the words of a Seer, who

against his own wishes and his own interests was constrained to exclaim,

“How shall I curse, whom God hath not cursed?
Behold, I have received commandment to bless:
And He hath blessed; and I cannot reverse it.”

v. It is hardly necessary to go through the remaining incidents of Jacob's life in detail: but there is one circumstance briefly related in the 35th chapter which deserves some notice. *Ver. 22*—“And it came to pass, when Israel dwelt in that land, that Reuben went and lay with Bilhah, his father's concubine: and Israel heard it.” (The LXX. adds here, “and it was evil in his sight.”)

This relation, brief as it is, evidently marks the act as criminal: it was a crime in the judgment of Jacob himself, and in the judgment also of Moses, the historian. How serious a crime Jacob deemed it, may be seen by his reference to it in his final address to his sons, ch. xlix. 4. Here, then, is the fact of Reuben's intercourse with Bilhah clearly condemned in the sacred narrative, because she was his father's concubine, and the deed was truly incestuous: but not a word is anywhere said in condemnation of Jacob's own connexion with the same Bilhah. And yet, in the modern view, Jacob's conduct in regard to her was adultery, almost or quite as sinful as Reuben's. Is it not an obvious conclusion, therefore, that the modern judgment of the matter, so far as it agrees with the opinions we have cited, is not that of Moses, nor of Him by whose Spirit the pen of Moses was guided?

vi. There is another argument from the history of Jacob, not less weighty, I think, than any we have already considered. God's promises to Abraham, as we have seen, included, as an oft repeated and most material condition, that his seed should be numerous, and possess the land of Canaan; the same thing being repeated to Isaac and

to Jacob. From the New Testament we learn that this promise was to have a spiritual and more remote fulfilment in the numbers of those who should reach the heavenly inheritance, through faith in Christ, whether descended from Abraham or not, according to the flesh. But it was necessary that the promise should also have a primary and literal fulfilment, in respect of the **immediate descendants of Abraham himself**. The *type* must, of course, precede its *antitype*. And the promise was actually fulfilled in the first instance **by the birth of Isaac**, and afterwards by the twelve **sons of Jacob**; and through them by the **Twelve Tribes of Israel**, who, for upwards of a thousand years (**with some interruptions**) actually possessed and occupied the promised land of Canaan, or Palestine.

Now this number *Twelve* is evidently here a *significant number*: like the number *Seven*, and some others of frequent recurrence in the Sacred Writings, it probably was intended to denote some particular characteristic. Perfection, Completeness, or Universality, are the interpretations assigned to it by learned men: but whatever may be the precise attribute intended is not a matter of importance to our present argument: it is enough to say that the number was not merely *accidental*, (vulgarly speaking) but was designed by God's providence for some particular purpose. It is quite unnecessary to cite all the various places in Scripture where the number is employed; and where the fancies of interpreters may give some symbolical meaning to it: but two or three facts may be noted which show that some importance was attached to this particular number in connexion with the tribes or families of Israel. When the tribe of Levi was set apart for the office of the priesthood and the service of the Tabernacle, and thus in some respects taken out of the enumeration, care was taken to make up the original number of the tribes by the subdivision of the family of Joseph into the tribes of

Ephraim and Manasseh. This full number was also required for the **symmetrical** arrangement of the Tribes round the four sides of the **Tabernacle**. (*Numbers* i. and ii.) So again, the prophet **Elijah**, in his great scene at Mount Carmel, "took twelve stones, according to the number of the tribes of the sons of Jacob, unto whom the word of the Lord came, saying, Israel shall be thy name; and with the stones he built an altar in the name of the Lord." The number of the Twelve Apostles of Christ is generally supposed to have a reference to the Twelve Tribes of Israel: this, though not actually stated, seems rather implied in the words of our Lord to His disciples (*Matt.* xix. 28), "Ye which have followed Me, . . . shall sit upon twelve thrones, judging the twelve tribes of Israel." At any rate, there can be no doubt that there was a typical relation between the Tribes of Israel and the spiritual Church of Christ. In the description of the heavenly Jerusalem, in the twenty-first chapter of the Revelations, we read that the City "had twelve gates, and at the gates, twelve angels, and names written thereon, which are the names of the twelve tribes of the children of Israel: on the east, three gates; on the north, three gates; on the south, three gates; and on the west, three gates; (a close correspondence with the arrangement of the camp of the Israelites round the Tabernacle, as above referred to. (*Numb.* i., ii.) And the wall of the city had twelve foundations, and in them the names of the twelve Apostles of the Lamb." (*Rev.* xxi. 12—14.)

But the most conclusive testimony on this point is in the account of those that were sealed. (*Rev.* vii. 4-8.) "I heard," says St. John, "the number of them which were sealed: and there were sealed one hundred and forty and four thousand, of all the tribes of the children of Israel.

"Of the tribe of Judah were sealed twelve thousand:

"Of the tribe of Reuben were sealed twelve thousand:" and so on.

Here, by way of emphasis, the names of the several tribes are repeated one after another ; (there is a slight variation in the list of the names, of which we shall speak again immediately).

Now, whatever may be the meaning of this Catalogue, whether it has any exclusive reference to the Jewish Christians, or whether it represents the whole company of them that are saved, the many folds of Christ's flock, who are to be gathered together in one from many regions, many nations, through many ages, or of various *characters*, this is a point which is not clearly revealed, and which, therefore, we may suppose, is not necessary for us to know at present, —which perhaps we may never know with certainty until the truth is declared by the event. But one thing is clearly stated: the individual sons of Jacob, and the families severally descended from them, are taken as types or representatives of various groups or families of the saints of God, of those who are definitively stamped, *sealed*, with the character of His servants. This shows therefore that the birth of those twelve sons of Jacob was a settled part, and an essential part, of God's grand design in the history of the world, especially of His great scheme of Redemption through the blood of the Lamb. Every one of those twelve sons was wanted to fill a place in history, or to be a type of some part of God's elect. If, then, it had ever occurred to Jacob to answer the suggestions of Laban or of Rachel with the words of Joseph, How can I do this great wickedness and sin against God?—where would then have been the twelve tribes of Israel? Where would have been the sojourning in Egypt, without the birth of Joseph, and where the subsequent great typical Exodus? Where, in short, would have been either the earthly Jerusalem, or the Heavenly Jerusalem, with its twelve gates of pearl, and its twelve times twelve thousand of "them that were sealed"?

Really, with all these facts before us, I must say I cannot

understand how anyone, accepting the Scriptures as the Word of God, can speak of these things as "Jacob's sins"; or suppose that they were in any degree offensive in the sight of that great Being who so emphatically calls Himself, "the God of Abraham, the God of Isaac, and the God of Jacob."

VII. There is, as we have just seen, a discrepancy between the list of the names of the Twelve Tribes as given in the Book of Revelation, and the original catalogue of the sons of Jacob according to their birth. There are, in fact, in various parts of Scripture, several catalogues of the sons of Jacob, and the tribes descended from them, differing from each other, either in point of order, or in the actual names themselves. In the final address of Jacob to his children (*Gen.* xlix.) the names of his twelve sons are given, though not precisely in the order of birth. In the Levitical period, as we have before observed, the tribe of Levi is taken out of the enumeration, their inheritance and their duties being altogether different from their brethren; and their place in the list being made up by the division of Joseph's family. And here, again, in the vision of St. John, we have the most material divergence of all, in the name of one tribe, Dan, being altogether dropped out of the number. What was the reason for that omission is not stated; and therefore we cannot speak with certainty on the subject: some have supposed it was on account of the idolatry which prevailed in that tribe; or that the tribe itself was extinct at that time. But in all these variations of names and precedence, two facts are observable: (1) that the number of the tribes is always made up to twelve exactly, neither more nor less; thereby showing, as we have already said, that there was some special significance and design in that number of the sons of Jacob; and (2) that neither the sons of Rachel, nor of the two concubines, were excluded, nor marked with any sign of dishonour, on account of their

birth. In this latter respect we observe a difference between the manner in which Abraham dealt with his sons, and that of Jacob : the former making a marked distinction between the children of his wife and of his concubines : but not the latter. This would seem to imply, that although there was a special reason for this distinction in the case of Isaac and his brethren, the same thing was not insisted on as a necessary and invariable rule. It would appear therefore, in the absence of any law to the contrary, that any parent might lawfully follow the example of either one or other of these patriarchs, under similar circumstances according to his discretion.

F.—ELIPHAZ, THE SON OF ESAU.

There is another instance of concubinage also occurring in this patriarchal period, in the family of Eliphaz, the eldest son of Esau.

In *Genesis* xxxvi. 11, 12, we read, "The sons of Eliphaz were Teman, Omar, Zepho, and Gatam and Kenaz. And Timna was concubine to Eliphaz, Esau's son ; and she bare to Eliphaz, Amalek." This example, being in the family of Esau, will perhaps be thought by some persons not to add much weight to the argument on the score of lawfulness or morality ; nevertheless, it helps to throw some fresh light upon the subject.

For, first, it is another instance showing that the distinction between a wife and a concubine was something clearly recognized in those days ; and also that the practice was not considered uncommon or strange. As in the case of Nahor, it is related here as a simple matter of history, without any comment or censure. But, secondly, there is a difference of some importance between this case and those we have hitherto considered. The concubines of Abraham and Jacob were all in the condition of bondmaids or

servants ; but this Timna was a person of superior rank, the sister of Lotan, a prince or chieftain of the country (ver. 22) ; and her son, Duke Amalek, takes rank with the other dukes, the sons or descendants of Esau (ver. 15, 16).

From this example, and some others subsequently recorded, it seems clear that the concubines of Sacred History were not limited to the class of bondwomen or slaves ; and that the system of concubinage is not to be considered (as some writers seem to think) as something inseparable from the state of slavery, so that the sanction or countenance given to it in these parts of Scripture does not apply to modern times and countries where slavery is no longer tolerated. Such an inference is neither supported by facts nor by reason : for certainly, if either polygamy or concubinage were positive violations of a primary law of the Creator, the mere accident of slavery could not make them lawful.

CHAPTER V.

G.—THE ISRAELITES IN EGYPT.

THE next period of Sacred History, after the lives of the Patriarchs, is that during which the children of Israel were sojourning in the land of Egypt. Of this period,—which according to some authorities embraces 430 years, but according to others, and the more generally received opinion, includes only 215 years,*—no detailed account is given: its record, for the greater part, is summed up in one verse, *Exodus* i. 7: "The children of Israel were fruitful, and increased abundantly, and multiplied, and waxed exceeding mighty; and the land was filled with them."

These are strong expressions; and the force of them is shown first of all in that which is stated to have been the immediate consequence of their rapid and extensive multiplication: the king of Egypt said: "Behold, the people of the children of Israel are more and mightier than we," and he proceeded to devise measures to keep them in subjection, and to restrain their great fertility: hence the hard

* The statement of *Exodus* xii. 40, according to our Authorised Version, taken from the received Hebrew Text, is this:—"Now the sojourning of the children of Israel who dwelt in Egypt was 430 years." But the Septuagint version reads, "The sojourning of the children of Israel, which they sojourned in Egypt, and in the land of Canaan, was 430 years." And this agrees with the Text of the Samaritan Pentateuch; and is generally preferred as being better proportioned to the number of generations recorded, (namely, three or four in Egypt,) and also as agreeing with St. Paul's words in *Gal.* iii. 17: "The covenant, confirmed before of God in Christ, the Law, which was 430 years after, cannot disannul." On this hypothesis, 215 years are to be reckoned out of the 430, for the time during which Abraham, Isaac, and Jacob were sojourners and strangers in the land of Canaan; leaving 215 years for the sojourning in Egypt.

bondage and oppression which made the latter part of their sojourn in Egypt so eternally memorable.

But the full meaning of that verse is shown most forcibly in the numbers to which this people had risen at the time of their departure from Egypt. (*Exodus* xii. 37.) "The children of Israel journeyed from Rameses to Succoth, about six hundred thousand on foot that were men, beside children." This number did not include the "mixed multitude" that went up with them.

Considering the numbers of this family when they went down into Egypt, seventy souls (not including their wives, daughters, or servants), and the length of the interval from their arrival to their departure, even if we take the longer period, 430 years, this increase from 70 to 600,000 is very marvellous; if we take the shorter number, 215 years, it seems something prodigious.* So much so, that if that number stood alone, unsupported by other statements, we should be disposed to suspect there was some error in the figures or the terms. But the history leaves no room for this hypothesis. The first chapter of the Book of Numbers contains a census of the people, taken by God's command, "in the second month of the second year after they were

* The population of England and Wales was in 1821	12,000,236
Add, Army, Navy and Merchant Service	
(not included in this return)	289,095

Total in 1821	12,289,331
Ditto Ditto (including the Services) in 1871	22,712,266

Increase in 50 years 10,422,935
Equal to about 85 per cent.

At this rate, nearly doubling in half a century, (in round numbers),
the increase in 215 years would be about from ... 1 to 16
— 430 — — — — 1 to 256

The increase of the Israelites, as given above is from... 1 to 8,571

If the children were added, the rate of increase would probably appear much greater.

come out of the land of Egypt." Here, the males of each tribe are numbered, from twenty years old and upward ; the totals of the several tribes are given separately ; and the gross total is added up, amounting to 603,550. See also *Exodus xxxviii.* 26.

This, then, is the fact undoubtedly stated in the Scripture history, that the children of Israel increased during their sojourn in Egypt from 70 to about 600,000 men, beside women and children ; and this in the course of four or five generations.* The question then arises, by what means was this extraordinary increase effected?

It is not represented as being supernatural, or the result of any miraculous interference with the laws of nature ; not, at least, in such a sense as Sarah's conception of Isaac was supernatural. But in the sense in which "children and the fruit of the womb are an heritage and gift that cometh of the Lord," in this sense it may be considered due to God's blessing having been bestowed upon His people in an especial and abundant measure. God, we are told, appeared to Jacob before he went down into Egypt, and said to him in visions of the night, "Fear not to go down into Egypt ; *for I will there make of thee a great nation* : I will go down with thee into Egypt ; and I will also surely bring thee up again." (*Gen.* xlv. 2-4.) And if this result was accomplished by the ordinary processes of nature, few persons will doubt that one of the principal elements which contributed towards it was the fact that "they had several wives ;" † that polygamy, in fact, was extensively practised among them, and probably in both forms, namely, of wives and concubines. With all the previous examples that we have already found recorded in this family, we may, indeed,

* E.g., Moses and Aaron were apparently in the fourth generation from Levi : thus, 1. Levi : 2. Kohath : 3. Amram : 4. Moses. (1 Chron. vi. 1-3).

† Bishop Wordsworth, on Ex. xii. 37.

fairly conclude now that this was an established practice amongst them, and one therefore not needing to be specially mentioned by the historian, except occasionally in reference to some particular individuals affected by it. And so, indeed, we find that in the account of their various families, as given in the First Book of Chronicles, there are just two or three cases incidentally mentioned which show that the practice was not discontinued at that period. Thus:—

- 1 *Chron.* ii. 46, 48, "Ephah, Caleb's concubine;"
" " "Maachah, Caleb's concubine;"
" vii. 14, "his concubine, the Aramitess;"
" vii. 4, The sons of Issachar "had many wives
and sons."

This fact, then, being sufficiently obvious and admitted, we may now ask, what further light does it throw upon the question before us, namely, whether these practices had or had not the Divine sanction and approval? Seeing that this great increase in the family of Jacob was clearly the "work of God"—a particular result which He had plainly and repeatedly foretold to their forefathers, and promised to them as His own especial blessing—"I will multiply thy seed: I will make of thee a great nation"; seeing also that it was mainly effected by the process of polygamy, including both wives and concubines; how shall we venture to say that there was anything unholy or immoral in this practice? Is it not evident that it not only had the permission and sanction of Almighty God, but still further that it was His own chosen method of fulfilling an important part of His providential designs?

CHAPTER VI.

H.—THE MOSAIC LAW.

IN the Laws delivered by Moses contained in the last four Books of the Pentateuch, are many references and ordinances relating to Marriage and its cognate subjects. In order to see fully and impartially what is the testimony of this important part of the Sacred Volume, it will be most satisfactory first to cite briefly all the passages from the Mosaic Law which bear upon this subject.

First, we have the well-known Commandment of the Decalogue :

§ I. *Exodus* xx. 14 ; repeated in *Deut.* v. 18. "Thou shalt not commit adultery."

Cf. *Levit.* xx. 10. "And the man that committeth adultery with another man's wife, (even he that committeth adultery with his neighbour's wife,) the adulterer and the adulteress shall surely be put to death."

Cf. also *Levit.* xviii. 20 ; *Deut.* xxii. 22.

§ II. *Exodus* xxi. 2—6. "If thou buy an Hebrew servant, six years he shall serve : and in the seventh he shall go out free for nothing. If he came in by himself, he shall go out by himself ; if he were married, then his wife shall go out with him. If his master have given him a wife, and she have borne him sons or daughters ; the wife and her children shall be her master's, and he shall go out by himself. And if the servant shall plainly say, I love my master, my wife, and my children ; I will not go out free ; then his master shall bring him unto the judges ; he shall also bring him to the door, or unto the doorpost ; and his master shall bore his ear through with an awl ; and he shall serve him for ever."

§ III. *Ib.* 7—11. "And if a man shall sell his daughter to be a maidservant, she shall not go out [*i.e.*, go out free] as the menservants do. If she please not her master, who hath betrothed

her unto himself, then shall he let her be redeemed : to sell her unto a strange nation he shall have no power, seeing he hath dealt deceitfully with her. And if he have betrothed her unto his son, he shall deal with her after the manner of daughters. If he take him another wife, her food, her raiment, and her duty of marriage [*τὴν ὁμιλίαν*, LXX.] shall he not diminish. And if he do not these three unto her, then shall she go out free without money."

§ IV. *Exodus* xxii. 16. "If a man entice a maid that is not betrothed, and lie with her, he shall surely endow her to be his wife. If her father utterly refuse to give her unto him, he shall pay money according to the dowry of virgins."

Cf. Deut. xxii. 28, 29.

§ V. *Exodus* xxxiv. 12—16. Intermarriages with the Canaanites are forbidden, "lest their daughters . . . make thy sons go a whoring after their gods."

Cf. Numbers xxv. and xxxi. 15. *Deut.* vii. 3, 4.

Compare also *Deut.* xx. 10-18. "Women, taken captive, and spoil, . . . which are not of the cities of these nations, . . . shalt thou take unto thyself."

"But of the cities of these people, . . . the Canaanites, &c., . . . thou shalt save alive nothing that breatheth."

§ VI. *Lev.* xviii. 3. "After the doings of the land of Egypt, . . . and of the land of Canaan, . . . shall ye not do."

6. "None of you shall approach to any that is near of kin to him, to uncover their nakedness. The nakedness of thy father ; . . . of thy mother ; of thy father's wife ; of thy sister ; of thy father's brother ; of his wife ; &c."

18. "Neither shalt thou take a wife to her sister, to vex her, to uncover her nakedness, beside the other, in her lifetime."

19, 22, 23. Uncleanliness ; sodomy ; bestiality, condemned.

24. "For in all these things the nations are defiled which I cast out before you : and the land is defiled."

Cf. Lev. xx. 11-21.

Deut. xxii. 30 ; xxiii. 17 ; xxvii. 20-23.

Ib. 16. "Thou shalt not uncover the nakedness of thy brother's wife."

Cf. xx. 21. "If a man shall take his brother's wife, it is an unclean thing ; they shall die childless."

But see also *Deut.* xxv. 5-10.

"If brethren dwell together, and one of them die, and have no child, the wife of the dead shall not marry without, unto a stranger : her husband's brother shall go in unto her, and take her to him to wife, and perform the duty of an husband's brother unto her. And it shall be that the first-born which she beareth shall succeed in the name of his brother which is dead, that his name be not put out of Israel. And if the man like not to take his brother's wife, then let his brother's wife go up to the gate unto the elders, and say, My husband's brother refuseth to raise up unto his brother a name in Israel ; he will not perform the duty of my husband's brother. Then the elders of the city shall call him and speak unto him ; and if he stand to it and say, I like not to take her : then shall his brother's wife come unto him, in the presence of the elders, and loose his shoe from off his foot, and spit in his face, and shall answer and say, So shall it be done unto that man that will not build up his brother's house. And his name shall be called in Israel, The house of him that hath his shoe loosed."

§ VII. *Lev.* xix. 20. "Whosoever lieth carnally with a woman that is a bondmaid, betrothed to an husband, and not at all redeemed, nor freedom given her ; she shall be scourged [or, they shall be scourged] ; they shall not be put to death, because she was not free. And he shall bring his trespass offering unto the Lord . . . ; and the sin which he hath done shall be forgiven him."

§ VIII. *Ib.* 29. "Do not prostitute thy daughter to cause her to be a whore ; lest the land fall to whoredom, and the land become full of wickedness." Cf. *Deut.* xxii. 20, 21 ; xxiii. 17.

§ IX. *Lev.* xxi. 7. "The Priests, the sons of Aaron, . . . shall not take a wife that is a whore, or profane ; nor a woman put away from her husband."

10. "The High Priest . . . shall take a wife in her virginity ; not a widow, nor divorced woman, nor profane, nor an harlot."

§ X. *Numb.* v. 11-31. The method of the trial of jealousy ; when a man suspects his wife of unchastity. Cf. *Deut.* xxii. 13-21.

§ XI. *Numb.* xxx. 3-15. Laws concerning the vows of a daughter, a wife, and a widow ; their validity limited by the consent of the father or husband.

§ XII. *Deut.* xvii. 16, 17. The King "shall not multiply horses to himself, nor cause the people to return to Egypt, to the end that he should multiply horses: . . . Neither shall he multiply wives to himself, that his heart turn not away: neither shall he greatly multiply to himself silver and gold."

§ XIII. *Deut.* xxi. 10-14. "When thou goest to war against thine enemies, and the Lord thy God hath delivered them into thine hands, and thou hast taken them captive, and seest among the captives a beautiful woman, and hast a desire unto her that thou wouldest have her for thy wife; then thou shalt bring her home to thine house; and she shall shave her head, &c. . . . a full month; and after that thou shalt go in unto her, and be her husband, and she shall be thy wife. And it shall be, if thou have no delight in her, that thou shalt let her go whither she will: but thou shalt not sell her at all for money, thou shalt not make merchandize of her, because thou hast humbled her."

§ XIV. *Ib.* 15. "If a man have two wives, one beloved and another hated, and they have borne him children, both the beloved and the hated; and if the first born son be hers that was hated: then it shall be, when he maketh his sons to inherit that which he hath, that he may not make the son of the beloved first-born before the son of the hated, which is indeed the firstborn; but he shall acknowledge, &c."

§ XV. *Deut.* xxii. 23. If a man find a betrothed damsel in the city, and lie with her, . . . they shall both die.

Ib. 25. But if a man find a betrothed damsel in the field, and force her, . . . then the man only shall die.

§ XVI. *Deut.* xxiii. 2. "A bastard * [*ἐκ πόρνης*, LXX.] shall not enter into the congregation of the Lord, even to his tenth generation."

§ XVII. *Deut.* xxiv. 1-4. "When a man hath taken a wife and married her, and it come to pass that she find no favour in his eyes, because he hath found some uncleanness in her; then let him write her a bill of divorcement, and give it in her hand, and send her out of his house. And when she is departed out of his

* There seems to be some doubt about the proper interpretation of this term; and it is considered by good authorities to denote only those born of incest or adultery. Vide Speaker's Commentary, *in loco*.

house, she may go and be another man's wife. And if the latter husband hate her, and . . . send her away ; or if the latter husband die ; her former husband . . . may not take her again to be his wife."

The foregoing extracts and references include everything that is material in the Mosaic Law, bearing upon the subject of marriage. Altogether we see there are about seventeen distinct points treated of, many of them being referred to two or three times in the course of these Four Books. To sum up the principal matters with which we are now concerned, we find :—

(a.) *Adultery* is clearly condemned, and punished with death : the crime here forbidden being intercourse with another man's wife, whether married or betrothed : but this law does not apply to the sexes conversely. See § i. above. Also in the case of a bondmaid, the offence is declared to be a sin ; but the punishment of death is reduced to scourging ; and a trespass offering is accepted. § vii.

(b.) *Whoredom* among the daughters of Israel is punished with death ; § viii. Also whoredom with the daughters of Moab, and any sort of intermarriage with the Canaanites, etc., is altogether forbidden. § v.

Also the seduction of a maid, not betrothed, is provided for. § iv.

These regulations, though at first sight they do not seem to prohibit fornication in general so strictly as we might expect, and would not be sufficient perhaps to restrain it where monogamy was so rigidly enforced as among us ; yet we may suppose not unfairly that they were deemed sufficient *then*, taken in conjunction with other provisions on the subject of marriage.

(c.) Incestuous connexions and licentiousness are denounced.

The Levirate Law, prescribing the duty of the deceased husband's brother. § vi.

(*d.*) *Polygamy* is distinctly recognised ; and a special regulation is made applicable to one particular case. § xiv.

It is also ordered that in future years, when the nation is settled in their promised land, under a Monarchy, "the king shall not multiply wives to himself, that his heart turn not away." § xii. Beyond these two passages there is no reference or allusion whatever to the question of Polygamy ; no prohibition, no expression of disapproval in any shape.

Considering that this practice was not unknown in the world at that time, that it had prevailed for many generations, even among the family of Israel, and that this must of necessity always be a question of primary importance in the moral history of mankind, this total absence of censure must certainly be considered a remarkable fact, in such a strict and searching code of laws as that of Moses. The natural inference would seem to be that God did not condemn the practice simply because He did not object to it : this is an hypothesis plain and simple, consistent with God's truth and dignity, consistent also with all the previous history that we have been considering. If we reject this hypothesis, we must suppose that although He disapproved of it,—and as modern writers would assert, very strongly disapproved of it,—yet for some special reasons He forbore to express that disapproval in His revealed law ; in that law which, taken in conjunction with the Patriarchal revelations, was destined to last for about two thousand years at least ; and which as to its moral precepts we consider to be perpetual.

What those special reasons could be which would move the Almighty to omit such an important caution, it is not for me to suggest, but for those who adopt this theory. We may, however, observe that any reasons so suggested should be not merely conjectural, but should have some authority from Scripture itself to support them ; and what is still more important, they should be reasons such as are

not inconsistent with the honour and dignity of Almighty God Himself, as the Divine Author of the Mosaic Dispensation. It will not do to say that God refrained from condemning what He considered wrong, as human legislators may often do, from motives of temporising expediency ; from feeling afraid or unable to enforce their own principles ; or from any overpowering constraint or necessity. This surely is one of the most important of all points to be borne in mind, in all theological enquiries, that we should not presume to ascribe to Almighty God any motives or actions which our reason tells us are inconsistent with His perfect holiness, justice, and majesty.

Until, then, any adequate reasons are assigned for this supposed omission, we must take the facts of Scripture as they stand ; and the facts are that in the Laws of Moses the system of Polygamy is recognised, is in some degree regulated, and is not anywhere prohibited or condemned, otherwise than when carried to excess.

With regard to the passage in Deuteronomy (xvii. 17), enjoining that the king should not multiply wives to himself, the meaning of the verse, and the reason of the injunction, seem so plain as to need no further comment or explanation. Nevertheless, a meaning has been put upon these words, by some persons of whom we desire to speak with all respect, which requires us to dwell upon them for a moment. That kings, princes, and others who have wealth to command the pomps and luxuries of this world, should be tempted to indulge in extravagance in the matter of "many wives," where polygamy is permitted ; this is an obvious contingency : that such indulgence should be likely to turn away their hearts from the Lord is equally obvious ; it is hardly necessary to point to the example of Solomon, with his thousand wives and concubines, for illustration. Against such obvious moral dangers, this precept in Deuteronomy is a natural and important warning, as well as

a positive command. And a spiritual interpreter, one who does not confine his view to the mere letter of the law, may also well apply the spirit of the precept to any or to all of the various pomps, vanities, or lusts of the world and of the flesh, and to all classes of men, according to their several degrees and circumstances. But to suppose that this verse was intended as a direct and general law prohibiting polygamy, forbidding it not merely in its excess, but forbidding it altogether as a matter of principle; forbidding it to all classes of men, kings and subjects alike; to suppose that this one verse alone in the Bible, or at any rate in the Old Testament, was intended to carry all this meaning, and to have such a wide application, this verse whose scope and object are so clearly limited and defined: this interpretation we must venture to say, seems altogether unwarranted and unreasonable. We shall have occasion to mention this point again in connexion with the history of King David; when we shall see that such an interpretation as this is quite inadmissible.

There is one other point about this passage in Deuteronomy which deserves notice. Like many other things in the Mosaic Law, it was distantly prospective; it had reference to a state of things which did not come into existence till four hundred years after the law itself was given. Now, if it had been God's design to permit polygamy for a limited period only, and at some future time—as, for instance, under the Gospel Dispensation—to restrict or prohibit it altogether, the above reference to the kings would lead us to expect that He would make some similar prospective intimation of such ulterior purpose. At any rate, we may say the absence of any such intimation is rendered more conspicuous and significant by the passage here cited.

It is hardly necessary to remark that the polygamy allowed in the Bible is wholly on one side. That a woman should be permitted to have two or more husbands at the same

time is a thing never contemplated in Sacred History ; nor, indeed, with perhaps one or two inconsiderable exceptions, in any other history that we are acquainted with. The material differences in the physical or physiological constitution of the two sexes are, perhaps, quite sufficient to account for this fact. And one consequence of some importance which follows from it is, that many laws which apply to the one sex cannot be transferred, as a matter of course, to the other. The definition of adultery, for instance, as we have seen above, does not apply to the sexes conversely—a distinction which appears to be sometimes lost sight of in modern usage.

(c.) On the subject of Concubinage, there are two provisions which are understood to point to this relationship, namely, *Exodus* xxi. 7-11, and *Deut.* xxi. 10-14 (§§ iii. and xiii. supra) ; although it has been observed that the particular term (Hebr. *pillegesh*), which is elsewhere used to denote a concubine, is not employed here. The class of wife, however, which is here spoken of is distinguished from a wife of the first rank in some important particulars. In both the cases mentioned she remains in the condition of a bondwoman, though her master is not allowed to sell her again for money. But the permission given to her master to send her away without the special “bill of divorcement” required in the case of a wife is, perhaps, the most distinctive mark of difference between the two classes of wives, and that which fixes the position of the women referred to in these two passages as concubines. On this subject we may quote from a modern work of acknowledged authority, Dr. Smith’s “Dictionary of the Bible” (*vide* Concubine) :—

“The concubine’s condition was a definite one, and quite independent of the fact of there being another woman having the rights of wife towards the same man. The difference probably lay in the

absence of the *libellus divortii*, without which the wife could not be repudiated, and in some particulars of treatment and consideration of which we are ignorant; also in her condition and rights on the death of her lord; rather than in the absence of nuptial ceremonies and dowry, which were non-essential. Yet it is so probable that these last did not pertain to the concubine, that the assertion of the Gemara to that effect, though controverted, may be received. The doctrine also that a concubine could not be dismissed without a formal divorce is of later origin—not that such dismissals were more frequent, probably, than those of wives—and negatived by the silence of *Exodus* xxi. and *Deut.* xxi. regarding it. . . . The state of concubinage is assumed and provided for by the law of Moses. A concubine would generally be either (1) a Hebrew girl bought of her father, *i. e.*, a slave, which alone the Rabbins regard as a lawful connexion, at least for a private person; (2) a Gentile captive, taken in war; (3) a foreign slave bought; or (4) a Canaanitish woman, bond or free. The rights of (1) and (2) were protected by law (*Exodus* xxi.; *Deut.* xxi.); but (3) was unrecognised, and (4) prohibited. Free Hebrew women might also become concubines. So Gideon's concubine seems to have been of a family of rank and influence in Shechem; and such was probably the state of the Levite's concubine (*Judges* xix.)."

It is worth while to remark the permission here given to a man (*Ex.* xxi.) to sell his daughter to another man as a concubine, in contrast with the positive injunction in *Levit.* xix. 29. "Do not prostitute thy daughter, to cause her to be a whore." This shows clearly enough the essential difference between the two things in the eyes of the Hebrew Lawgiver.

(*f.*) There remains to be considered the question of Divorce and Separation.

The twenty-fourth of Deuteronomy (see § xvii. above) makes provision for the divorce of a wife under certain circumstances. The wife here mentioned is taken to be one who has a claim to this title in its fullest sense. What may be the conditions to justify divorcement by virtue of this enactment, is not clearly stated; but, as it has been well remarked, they could not amount to actual

adultery, as *that* is already made punishable with death. This then is a point which appears to have been always regarded with some uncertainty amongst the Jews ; and it was with a view to entangle him with this difficulty that the Pharisees came to Jesus, "tempting him, and saying unto him, Is it lawful for a man to put away his wife for every cause?" (*Matt.* xix. 3.) The answer of our Lord to that question we shall consider fully in its proper place, when we come to deal with the New Testament : for the present, we are only enquiring into the actual facts and teaching of the Law of Moses on this subject ; and we need only therefore here notice the words of Christ so far as to observe that they confirm the fact here apparent in Deuteronomy : "Moses," he says, "because of the hardness of your hearts, suffered you to put away your wives."

For some reasons or other, then, short of actual fornication or adultery, a man was allowed by this Law to put away his wife by a formal act of divorcement ; a divorce which was not merely a "judicial separation," but a dissolution of the marriage bond ; so complete that "she might go and be another man's wife."* It was specially ordered, however, that if she became free from this second husband, either by another divorce or by death, her former husband might not take her again for his wife : and we may probably accept the opinion of the Commentators, who suppose that this was intended as a check upon the

* The sense of this passage in the Septuagint (and that which is generally considered the most correct) differs slightly from our Version, not so much in the words as in the punctuation. "If a man take a wife, . . . and *if* he give her a bill of divorcement, and send her out of his house, . . . and *if* she go and become another man's wife, and *f* the latter husband hate her and send her away, . . . then her former husband may not take her again," &c. This makes the force of the law to be chiefly directed against the re-marriage to the first husband ; but it implies the permission of divorce just as much as the other rendering.

first husband, to prevent him from lightly sending away his wife, and especially to prevent the crime of prostituting one's wife for money.

In the case of bondwomen and concubines, the conjugal tie, as we have seen above (e), appears to have been resolvable without a formal act of divorcement; and no other grounds of separation are specified than "if she please not her master." Moreover, the case of a servant, or slave, who receives a wife from the hands of his master, and who goes out free in the seventh year without his wife (§ II.) seems to imply a looseness of the marriage bond which does not agree with modern opinions on the subject.

It is not my business to defend or excuse such enactments as these. If this Law was given to Moses by inspiration or revelation from Almighty God, it is above the reach of our criticism. At the same time, it is open to learned men to offer any considerations which may help to explain or account for such provisions as the above; or to remove any material discrepancies which may appear to exist between different portions of the Sacred Volume: provided only, as we have before said, that they suggest nothing that is inconsistent with God's truth and dignity. Does the following passage, which comes to us with a considerable amount of authority, come within this limitation?

"The Law tolerated polygamy and divorce upon slight occasions, two practices which, though not immoral in their own nature, were attended with bad consequences, produced jealousy and discord, hatred and malice, in families, and made it exceeding difficult for children to love their brethren and sisters, and to honour their parents. This, as our Saviour observes, was permitted to the Jews only to prevent greater mischiefs which would have followed the prohibition. Thus God, when He condescended to be their Legislator and their King, condescended to their imperfections, and acted as human governors are often obliged to act, who account it wisdom of two evils to permit the lesser, and to connive at things which they disapprove."—Dr. Jortin.

The above sentence from Dr. Jortin is quoted in the annotations upon *Deut.* xxiv. 4, in D'Oyly and Mant's Bible, a work published by the Society for Promoting Christian Knowledge, and for many years the Family Bible and chief Scripture Commentary issued by this venerable Society.

I ask, then, as a question of primary importance, Is the sentence here quoted entirely compatible with the honour of Almighty God? I think the answer to this question depends upon the degree in which the practices here spoken of are deemed "immoral in their own nature." If they are treated merely as things "attended with bad consequences," as belonging in short to a state of things when the world was in its infancy, and far from having attained to the perfect morality of the Gospel, it is perhaps allowable to say that God permitted such things to be done for a time, though He did not fully approve of them. But if these matters are to be classed as distinctly "immoral in their own nature"—classed with adultery, fornication, and other deadly sins of the flesh, such as are declared to be irreconcilable with the kingdom of God and His holiness; if they are to be visited with punishment as flagrant crimes against civil society, and banishment from the rights and privileges of Christian fellowship; then I say those who condemn them to this extent cannot safely maintain that God permitted them, "as the lesser of two evils;" nor can we deem it otherwise than derogatory to the honour of God, as well as quite inconsistent with other parts of sacred history, to suppose that in a nation which was peculiarly under His providential government, He would omit to condemn things which must have been so reprehensible in His sight; much more that He would give such positive sanction to them as is given both in the patriarchal records and in the Mosaic Law.

CHAPTER VII.

PERIOD OF THE JUDGES.

IN the subsequent periods of Jewish history, after the giving of the Law, we meet with several instances both of polygamy and concubinage. It will not be necessary to dwell upon these in detail: they are sufficient to show—what I suppose, indeed, no one will deny—that these practices continued in vogue all through the time of the Older Dispensation. There is in fact no intimation anywhere given of their discontinuance. There are, however, a few points worthy of notice in connexion with some of the cases recorded.

And first in the period of the Judges. This period on the whole is not one which sets forth the character of the Israelites in a good light as regards religion and morality. It may be said, therefore, that any instances of polygamy here recorded, even among the Rulers or Judges themselves, will not add much weight to that side of the argument. But in truth, after the broad foundation which we have already laid, I think we hardly need further authority to support the proposition for which we contend: it is enough to show that the practices in question still continued to exist, and without any mark of divine disapproval.

J.—GIDEON, JAIR, ETC.

Amongst the Judges, then, of *Gideon*, who was one of the most eminent, we are told (*Judg.* viii. 30, 31), “Gideon had threescore and ten sons of his body begotten; for he had many wives. And his concubine, that was in Shechem, she also bare him a son, whose name he called Abimelech.”

We read also of *Jair* (x. 3), who judged Israel twenty-two years, and had thirty sons : of *Ibzan* (xii. 8), who judged Israel seven years, and had thirty sons and thirty daughters : of *Abdon* (xii. 13), who judged eight years, and had forty sons ; the polygamy in these latter cases, though not expressly named, being perhaps sufficiently manifest by the number of their children.

K.—SAMSON.

Among the Judges and Deliverers of Israel at this time, *Samson* holds a somewhat distinguished place : and yet his conduct on some occasions was not consistent with the laws of morality, as we understand them. First, he took a wife of the daughters of the Philistines ; after that, he went in to an harlot at Gaza ; and again, he gave himself up to Delilah, who appears neither to have been his wife, nor even a lawful concubine. Do we then say that these examples afford us any authority or excuse for doing likewise ? Certainly not. In all these cases his conduct manifestly brought danger and suffering upon him ; so that *here*, the comments which we have disputed in regard to Abraham and Jacob are fairly admissible. His sufferings *were* the direct consequences of his errors or his folly, and the connexion of the two things is plainly enough marked in the sacred narrative.

And yet, being a man, with a strange mixture of good and evil in his nature, being especially such a man as he was, a man of huge animal strength, it is not at all inconceivable that although he gave way at times to strong animal passions, yet at other times, or in other respects, he may have been strongly moved by the Spirit of God ; and that he should have exerted himself courageously and strenuously to fulfil the mission which was chiefly given to him, namely, to deliver God's people out of the hand of

their enemies. The scene of his death exhibits a sublime faith, devotion, and heroism, which may have some parallels in history, but has hardly ever been surpassed by mortal men.

L.—THE LEVITE OF MOUNT EPHRAIM.

In the latter part of this Book of Judges, there is a narrative which is generally considered to be misplaced in regard to its chronological order, and to belong rather to the times of Joshua, or soon after, when "Phinehas, the son of Eleazar, the son of Aaron," ministered before the Ark.

Judges xix. 1, 2. "It came to pass in those days, when there was no king in Israel, that there was a certain Levite sojourning on the side of Mount Ephraim, who took to him a concubine out of Bethlehem-Judah. And his concubine played the whore against him, and went away from him unto her father's house, to Bethlehem-Judah, and was there four whole months."

Before commenting upon this passage, we may observe that the Septuagint, and some other versions, merely say that "she went away from him to her father's house," without any imputation of unchastity; and this interpretation seems to agree better with the kind and friendly relations which are subsequently described as existing between herself, her husband, and her father. If, however, there is sufficient authority for the rendering of our English version, it shows the essential difference then recognised between concubinage and whoredom. It shows also, what is everywhere acknowledged, that it was not generally lawful for a woman of her own accord to depart from her husband: but obviously it does not touch the other side of the question, namely, the right given to a man, under certain circumstances, to put away his wife. So far as appears from the Scripture narrative, it is a case of simple concubinage, not of polygamy. Nothing is said about any other wife that

the man had ; and therefore it seems most proper to suppose that he had no other wife at the same time. The truth, however, probably is that this is a point which was of no importance in the eyes of the compiler of this Book.

There would not appear, then, to be anything in the narrative itself very specially requiring us to dwell upon it, after so many other cases of concubines that we have considered. But some remarks have been made upon it by modern divines of eminence, which appear to be on several accounts inconsistent with Scripture. Among others, the Bishop of Lincoln, whom we have already quoted more than once, begins his annotations on the passage in this form :—

“ The Sin of the Levite, and its Consequences. ‘ *Took a concubine* ’—not a wife, as Christ has done, espousing to Himself the Church, in holy wedlock. This word *concubine*, so often repeated in this melancholy history, suggests its proper moral.” &c.

Here again, then, we must venture to say, as we have said in former cases, there is nothing whatever in the narrative to warrant us in calling this a *sin* on the part of the Levite.

There is no intimation in the narrative itself that the conduct of the Levite was blameable ; but rather all that is related of him is favourable to his character ; while, on the other hand, the wickedness of the men of Gibeah—sons of Belial—is clearly set forth.

In a matter of this kind, it is certainly very important that we should make no mistake about what is sinful, and what is not.

What is *sin* ?—“ Sin is the transgression of the law”—wilful transgression of a known law or commandment. “ But sin is not imputed where there is no law ; ” “ for where no law is, there is no transgression.” (*Romans* v. 13 ; iv. 15.) This is a principle clearly and abundantly defined by St. Paul, in harmony with the general tenor of Scripture. It is a most important principle, very necessary

for all men to understand as clearly as possible, in all its bearings. Hereby we learn to appreciate rightly the guilt of anyone who wilfully rebels against any known commandment of God, whether it be in an act of murder, or fornication, or a petty theft, or even eating an apple that is forbidden to him. With this principle in view then, we ask, what was that particular law or commandment which forbade the Levite to take to himself a concubine, or concubine wife? What evidence have we that any such law was ever set forth to this man,—made known to him as a divine command? Until we can show this, we are not justified, I think, in charging him with sin on that account. The Bishop himself does not allege any such law or prohibition; a very sufficient proof that none existed, none at least of which there is any record in the Sacred Volume. While on the other hand, we know he had numerous and weighty precedents for his act, in the examples of Abraham and others; as well as direct permission from the Mosaic Law. The Bishop, however, dilates at some length upon the example of Christ, who, he says, “took a wife, not a concubine, espousing to Himself the Church in holy wedlock.” True: but the example of Christ, which was not fully accomplished nor clearly revealed to men till more than a thousand years afterwards, was not a *law* to that Levite: nor, even if such a thing were expressly forbidden to *us* as Christians (which I do not admit), would this fact make it a sin for *him*. Moreover, does the Bishop forget that if Christ took to himself the Christian Church as a *wife*, Almighty God had previously espoused the Jewish Church as a *concubine*? We have just the same authority for this statement as for the other, namely, St. Paul’s well-known exposition in the passage already referred to. And this was the Dispensation under which the Levite was living: though probably he himself had no knowledge of these “allegories,” or of their spiritual interpretations.

"This word *concubine*," he continues, "so often repeated in this melancholy history, suggests its proper moral." The consistent repetition of this term in the sacred text simply shows that the woman held a definite position,—was neither more nor less than a concubine; a position for which there appears to be one definite term, and no other equivalent, either in Hebrew, Greek, or English. That this term should suggest an unfavourable moral or inference, seems to show that the writer either forgets or else disputes the assertion of our Homily, that, in the phrase of Scripture, "a concubine is an honest name; for every concubine is a lawful wife; though every wife is not a concubine." Nor does it seem more reasonable to blame this Levite for the melancholy history which followed than it would be to blame any man now-a-days, who in bringing home his wife and family from a country visit, is unfortunately set upon by thieves, or overturned in a railway accident.

In making these strictures upon the writings of so eminent and excellent a man as Bishop Wordsworth, the writer of these pages feels that something like an apology is due from an obscure individual like himself, for what many people doubtless will think an act of great presumption. He would not have ventured upon such a course if he had not felt well assured that his comments were both justified by the facts, and also necessary. That the Bishop himself is actuated by an earnest and indefatigable desire to serve God in truth, and by an admirable zeal in behalf of the holy estate of Marriage, is a fact which no one will doubt for a moment who has any knowledge of himself or his writings. Nevertheless, the best of men may err: and as he has not hesitated to charge Abraham with grave faults, he will hardly claim infallibility for himself. Once more then I repeat,—and on this ground I presume to challenge the opinions of such learned men,—if there is no sufficient authority from Scripture itself for pronouncing these actions.

to be sinful, it is evidently not desirable that we should make any assertions of this kind. However good the motive with which such things have often been done, it cannot be wise or prudent in us to attempt to set up a standard of morality different from that which God Himself has established or sanctioned: not even if our standard appears to be more strict or more elevated than that of the Bible itself. It is not consistent with Truth: in short, we have no right to do it.

M.—ELKANAH.

There is one other case belonging to this period of the Judges which deserves notice, that of Elkanah and his two wives, Hannah and Peninnah. (1 *Samuel* i.) We shall only stop to say here, first, that Elkanah himself appears to have been a devout Israelite of irreproachable piety and goodness; and that Hannah exhibited a meekness under affliction, combined with a fervent trust in God, which we must call most exemplary. It would be difficult for any commentator to find fault with either of these two characters: nor have I met with anyone who does so. And yet this was an instance of polygamy; in principle just as much needing condemnation as Abraham, Jacob, or any other similar cases. Will any Bishop or other Divine now venture to say that Elkanah and his two wives were living in sin when they presented themselves yearly before the Lord; when Hannah made her sorrowful, but acceptable prayer; and when "the Lord remembered her" (ver. 19)?

But again: who was the child that was born in answer to that prayer? *Samuel*: one of the most chosen and eminent servants of the Lord. Here again then we must ask, looking at the various important offices which he filled, was not the birth of Samuel a settled part of God's providential arrangements in the history of His chosen people? Was he not

born by the will of God? Yet where would Samuel have been, if Elkanah, his father, devout Levite as he was, had ever dreamt that bigamy was sinful or unlawful?

In this case also, as in many others, we may say the absence of all reproof touching the polygamy of Elkanah is rendered more conspicuous by God's severe rebuke of the sons of Eli. This shows clearly enough that matters of that kind, such as were really deemed sinful, were not "overlooked" at that time, especially in those who held public office as Ministers of God. The same observation applies also, in some degree, to Eli's mistaken rebuke of Hannah in the Temple or Sanctuary: an incident which, as has been well observed, is a notable warning to all persons, especially Ministers of Religion, to be careful how they pass judgment on others.

CHAPTER VIII.

PERIOD OF THE KINGS.

N.—DAVID.

PASSING by the history of Saul, who had at least one concubine, Rizpah, the daughter of Aiah, we may come now to consider the example of King David. This example again will be seen to be one of great weight and importance in regard to our present subject ; and this, both on account of the eminent position which David occupies in the Sacred Volume, and also on account of several special circumstances belonging to his personal history.

1. Not to occupy time unnecessarily with preliminary remarks, we may first observe that David had several wives living at the same time. In 2 *Sam.* iii. 2-5 is given a list of six sons who were born to him during the seven years that he reigned in Hebron, each of them being by a different wife. In the parallel passage, 1 *Chron.* iii. 1-9, the same list is repeated, together with the sons afterwards born to him in Jerusalem : and it is added, "These were all the sons of David, beside the sons of the concubines, and Tamar their sister." So far there is no intimation that his polygamy was deemed offensive or sinful in God's sight ; not a word of censure on this account is anywhere recorded. This was the period when he was rising in prosperity and power ; and as we might suppose also, enjoying God's favour in full measure. And so indeed we are told :—

2 *Sam.* v. 9, 10. "So David dwelt in the fort and called it the City of David. And David built round about from Millo and inward. And David went on and grew great, and the Lord God of Hosts was with him."

It is in immediate connexion with this account that we read, three verses afterwards—

Ver. 13. "And David took him more concubines and wives out of Jerusalem, after he was come from Hebron : and there were yet sons and daughters born to David."

The close juxtaposition of these two statements is certainly remarkable. On the supposition that polygamy was not only tolerated, but (within the limits of temperance) fully sanctioned by Almighty God, the circumstance is perfectly simple and natural. On any other theory, it presents an inconsistency and a difficulty which probably most people will feel to be insurmountable. The Bishop of Lincoln, however, writes thus upon this passage :—

"*Ver.* 13. 'David took more wives'—a sin in David as forbidden by God's law, *Deut.* xvii. 17. But the stain and blemish of the type vanish in the Divine Antitype, Jesus Christ."

Here again then is a judgment which appears open to serious objection. The law in Deuteronomy, as we have seen, prescribes that the future king "shall not multiply wives to himself, that his heart turn not away." Is there any ground for saying that up to this time, David's wives and concubines had turned his heart away from God? If so, then no doubt so far there is reason for saying that David transgressed the law; he exceeded the bounds of moderation prescribed for him. But where is any statement of Scripture to this effect, in reference to this period of David's life? The Bishop alleges no such fact; nor does his condemnation proceed upon this ground. It is based no doubt upon the principle which he so resolutely maintains, that polygamy in any degree—not merely *in excess*—is sinful. And this principle I venture to say it is quite impossible to hold in regard to the characters of the Old Testament; especially in regard to this history of

David. If polygamy was in its essence and principle unlawful to David, then his six wives in Hebron were unlawful, and he was living in sin all that time. Yet, "the Lord God of Hosts was with him"! If only the additional wives and concubines which he took at Jerusalem are alleged as sinful, then it becomes a question of *degree*, not of *principle*: and inasmuch as God's law did not lay down a limit of any particular number; as we do not even know exactly how many wives David still had about him; it is presumptuous in us to pronounce his conduct to be a *sin*, in the absence of all authority from Scripture itself to that effect; most especially in the face of that positive assertion—which certainly cannot be taken as an unmeaning formality—"The Lord God of Hosts was with him."

II. But although there is no censure passed upon David on account of his wives and concubines up to this period of his history, unhappily this cannot be said of him all through his life. It appears to have been about twelve years after his establishment at Jerusalem when the affair of Bathsheba occurred. This story is doubtless so familiar to all who have any acquaintance with the Bible—its facts, its lessons, are for the most part so plain and undisputed—that we need not dwell upon its various incidents on the present occasion. David began with the sin of adultery, a grave crime in itself; and in his endeavours to conceal this from public knowledge, he was led on to other sins no less grievous, including virtually the murder of Uriah himself. But the first point which bears forcibly upon our present enquiry is the fact that all these events are not only plainly and truthfully related in the inspired narrative, but that their *character* also is as plainly declared. "The thing that David had done displeased the Lord. And the Lord sent Nathan unto David." And Nathan, in God's name, administered that public rebuke to the king, which for keenness and severity has perhaps never been surpassed. Here,

then, I say, is a mark which distinguishes this transaction from all those other practices which we are now discussing, and which modern traditions and prejudices would confound with it in one sweeping condemnation. When David did really sin against the Lord, the Lord rebuked and punished him for it. The rebuke did not come immediately upon the first offence ; God no doubt chose the fittest moment ; but *it did come*, slow, but sure ; unmistakable, and effectual ; and duly recorded for the admonition of all future ages. So again when David sinned in numbering the people (the precise offence of which is perhaps somewhat obscure), there also the prophet of God visited him with a corresponding rebuke and punishment. But in the matter of his wives and concubines generally, no censure whatever is recorded, and no punishment. Is not the inference inevitable that in *these* cases there was no offence, no sin ? We have had occasion several times to contrast the marked expression of God's displeasure at some particular deed, with the tacit allowance of other things in the history of the same individual, or during the same period. In no case is the contrast more striking,—it seems hardly possible that it could ever be made more striking,—than in this history of David.

III. There are some expressions in Nathan's address to the king which deserve notice here. (Ver. 7, 8.) "Thus saith the Lord God of Israel, *I* anointed thee king over Israel ; . . . and *I* gave thee thy master's house, and thy master's wives into thy bosom," etc. It is said that there is an allusion here to the custom prevalent in the East, that the wives of a deceased or deposed monarch should become the property of his successor. Perhaps in this particular case, as Saul was the first king of Israel, we can hardly say that this transfer to David was made in conformity with custom or precedent. But whether as a matter of custom or not, here at any rate God takes it upon Himself to say, and with marked emphasis, "I—I

MYSELF—gave thee thy master's wives into thy bosom." There is no room here therefore for the argument that God sometimes is said to do what He only suffers to be done, as in hardening Pharaoh's heart, etc. It was His own special act here to hand over Saul's wives or concubines to David his successor. Who then will charge David with sin in taking them, whether they were two or twenty in number?

iv. David's acknowledgment of his guilt; his deep repentance and humiliation, as testified not only in this narrative, but in his Psalms and his whole life afterwards; his consequent forgiveness and perfect reconciliation with Almighty God: these are matters of the deepest interest and importance in the general consideration of this history: but they do not require us specially to dwell upon them in connexion with our present subject. It is sufficient for us to observe here that after his repentance and forgiveness, Uriah being now dead, there was no further impediment to his retaining Bathsheba as his wife. He therefore, after the death of the child, "comforted Bathsheba his wife, and went in unto her, and lay with her; and she bare a son; and he called his name Solomon. And the Lord loved him; and sent by the hand of Nathan the prophet, and called his name Jedidiah [*i.e.*, beloved of the Lord]" (ver. 24, 25). The remark has been made, (and by one in some authority,) "If Uriah had been *dead*, when David took Bathsheba, still *Deut.* xvii. 17 would stand as a prohibition of polygamy to sovereigns and subjects." I think this idea is sufficiently disposed of by the two verses just quoted.

v. One part of the retribution which was ordained to follow upon David's transgression was thus foretold: "I will take thy wives before thine eyes, and give them to thy neighbour, and he shall lie with thy wives in the sight of this sun." The fulfilment of these words is seen in the course pursued by Absalom, at the instigation of Ahitophel, as related in the sixteenth chapter. "Absalom went in

unto his father's concubines, in the sight of all Israel." The precise object of this mischievous counsel is a point which does not particularly concern us now, but the observation has been made by B., a writer of considerable authority, that "those who are called David's wives in 2 Sam. xii. 11 are called his concubines in 2 Sam. xvi. 21, 22. And so through the whole of the Old Testament." This remark appears intended to imply that there was no material difference between wives and concubines in the Old Testament; that the terms in this case were equivalent and convertible. If this is the meaning of the observation, I think it is hardly borne out by the facts. The two terms are used in these two passages with perfect propriety, and could not be interchanged without violence. Nathan, speaking prophetically and in general terms, uses the word "wives," which included both classes, wives and concubines. Ahitophel's counsel was specially limited to one class, "Go in unto thy father's concubines, which he hath left to keep the house." Even he, wicked as his counsel was, did not contemplate such a crime as Absalom's incest with his father's own wives strictly so called. This latter passage then, duly considered, will be found I think to mark very clearly the fact that there was an important distinction between the wives and the concubines of the Old Testament, something more than a mere gradation in rank and dignity; a difference in the very principle of their union. And this agrees with the evidently looser tie of concubinage recognised in the Mosaic laws. And yet the difference was such that we may say in the words of our Homily, "Every concubine is a lawful wife; but every wife is not a concubine."

vi. There is another circumstance mentioned in connexion with this crime of Absalom which deserves some notice. (Chap. xx. 3.) "David came to his house at Jerusalem; and the king took the ten women, his concubines,

whom he had left to keep the house, and put them in ward and fed them ; but went not in unto them. So they were shut up unto the day of their death, living in widowhood." This shows, in the first place, that these concubines were not, as some may suppose, and as perhaps is sometimes the case in Eastern establishments, merely women-servants, part of a royal household, kept chiefly for domestic service or regal pomp ; but that they really held the position which their name implies. But a more important point exhibited in the verse just quoted is the fact that David's intercourse with his concubines was at least governed by certain rules and principles, that he was careful about what he did in these matters. After their defilement by Absalom, it would have been manifestly improper for David to act otherwise than as he did towards them : and we are bound therefore, I think, to suppose that in his intercourse with them at other times, he acted only in such a way as he believed to be lawful, and sanctioned by the will of God. Are we at liberty to assume that *we* know better than *he* did, what was lawful to him, and what was forbidden ?

VII. We have one more circumstance to note in the life of King David, one that has a special interest for us in this enquiry, chiefly on account of the object or motive which occasioned it.

1 *Kings* i. 1-4. "Now King David was old, and stricken in years ; and they covered him with clothes, but he gat no heat. Wherefore his servants said unto him, Let there be sought for my lord the king a young virgin ; and let her stand before the king, and let her cherish him, and let her lie in thy bosom, that my lord the king may get heat. So they sought for a fair damsel throughout all the coasts of Israel, and found Abishag, a Shunammite, and brought her to the king. And the damsel was very fair, and cherished the king, and ministered to him : but the king knew her not."

Abishag thus became a concubine to King David ; this relation being sufficiently evidenced both by the cir-

cumstances here related, and also by others which happened after the king's death. There is no reason to suppose that she was considered the king's wife, in the same sense that Bathsheba was his wife : if she had been this, Adonijah would hardly have preferred the request mentioned in the following chapter. And if she had been deemed less than a concubine,—a mere female attendant or nurse,—Solomon would hardly have been justified in visiting that request with the punishment of death. But the point to which I desire chiefly to call attention here is the *object* for which she was brought to the king, to lie in his bosom ; it was to cherish the king with warmth, animal heat ; ἔσται αὐτὸν θάλπουσα. David's servants had tried to warm his body with clothes, and perhaps other means : but every expedient of that kind had failed : till at last they had the good sense to think of that simple truth, which Solomon afterwards enshrined in the Book of *Ecclesiastes*, "If two lie together, then they have heat ; but how can one be warm alone?" (*Eccles.* iv. 11.) And this expedient was evidently successful. If this also had only failed like the others, the historian would surely have said so. But the best proof of its success is seen in the history which immediately follows. David, who was before so feeble that he could get no heat, after Abishag had begun to minister to him and cherish him, so far recovered his energies that he was able to transact business of the highest importance to the State,—to determine the succession to his throne, to give Solomon a charge concerning some important and difficult matters, and to make a lengthened address in a public assembly of the people. (Cf. *1 Chron.* xxviii. and xxix.)

Now here again are circumstances of great importance, which deserve consideration. Adonijah, who was apparently at that time the eldest surviving son of David, was now aspiring to the kingdom ; not, perhaps, with the inten-

tion of deposing his father, but of succeeding him after his death ; which event seemed then near at hand. It had however been God's expressed intention to give the kingdom to Solomon, and with the special object that he should be a man of *peace*, free from the civil strife in which David had been so much engaged, and therefore more fitted to build the great Temple of Jehovah,—that Temple without which the Laws, institutions, and covenant of Mount Sinai were incomplete. What then would have happened if David's vital powers had sunk exhausted in those critical moments? Adonijah had already a strong body of partisans ; “ he was a very goodly man ; ” and altogether, it is not probable that Solomon would have obtained the sovereignty over the whole nation without at least a severe struggle, and perhaps bloody civil war,—a thing to which the nation was ever too prone. All these evils were averted, the succession of Solomon secured, and God's purposes were accomplished, by the happy recovery of King David ; and that recovery, as Scripture itself tells us, was mainly effected by the personal ministrations of the young Shunammite damsel,—one more added to the number of his concubines.

VIII. The annotation upon this passage in one of the most modern and valuable commentaries on the Bible,—that which is known as the Speaker's Commentary, — is as follows :—

“ As the Jewish Law allowed polygamy, David's conduct in following the physicians' advice was blameless.”

This is the plain truth of the matter, and consistent with all the facts of Scripture. Other comments, however, have been made upon this circumstance in a very different sense : but it would seem a waste of time to reproduce them, even for the purpose of exposing their folly and presumptuousness. The question which I have to ask here is not as to the lawfulness of the thing done,—that point I think is now

sufficiently established beyond controversy,—but, Is it fair to charge David with sensuality, unholiness, or anything unbecoming to him as a man of God, for his conduct on this occasion? Sensuality: an ugly word, hardly admissible, I fear, in polite society; a condition which is clearly inconsistent with any elevated sentiments of human life, or any true aspirations for a better life to come; a thing which, as the word is commonly understood, I am most certainly not desiring to defend or promote. But what constitutes sensuality, in a blameable sense? In some degree, or in a modified sense, I suppose it is not altogether absent generally from “the holy estate of matrimony.” There is sensual indulgence in eating and drinking such things as please the palate; in sitting over a good fire; lying on a soft bed; and in many other ways. But in these cases, it is not imputed as a fault, it is not called sensuality, except when the indulgence runs into excess; except especially when a man’s mind and soul is overpowered, brought into captivity to these appetites of the flesh. But when the wants of the body are ministered to only so far as is necessary to maintain the health and strength of the man in proper vigour,—the whole man, body and soul,—then we have no right, nor is it customary, to charge him with sensuality or intemperance; not even if he uses occasionally a little extra wine, “for his stomach’s sake, and his often infirmities.”

And this was the declared object of the course adopted in David’s case. His physicians desired to restore warmth to his body; warmth, one of the first requisites of life: not mere caloric, such as may be obtained from the presence of a fire; but animal heat, a subtle quality or power for which science has hardly yet given us a definite name; which science perhaps has hardly yet learnt to define and understand: but which is understood *practically*, and is applied with a natural instinct, by every mother that

nurses and cherishes her infant with the warmth of her own body. This process was employed by David's physicians, not without much care ; " they sought throughout all the coasts of Israel " for a suitable person ; and their wisdom and labours were rewarded by the important results which we have seen. And if there was no positive law forbidding the presence of Abishag in that capacity, I do not see that either David or any other person concerned is open to the reproach of immorality or any impropriety, for the proceeding. It is clear that nothing blameable was seen therein either by David himself, or by the prophet Nathan, or by Solomon, or by the inspired historian, whoever he may have been : and again therefore I must ask, Are we at liberty to pronounce our censure, where the Sacred Writers have neither recorded nor implied anything of the kind ? Can we do it consistently with any respect for these pages as the Word of God ?

It is not often in the world's history that a life so valuable as David's is hanging in the balance at such a critical moment. But every day there are individuals to be found brought down to a similar state of infirmity, men whose lives also are precious,—precious certainly to themselves, precious to their families, and oftentimes valuable even to the State and the world at large. And in many of these instances there is good reason to suppose that the same expedient which saved or prolonged David's life, would also help to save theirs ; and save them too, when perhaps nothing else, no clothes, no cordials, no medicine would prove effectual. In the present state of public opinion, the presence of an Abishag as a concubine, or in any other character than as a married wife, would be deemed a scandal, an impropriety ; so great that it must be absolutely forbidden at any cost, any sacrifice. The most precious life in the kingdom would be sacrificed, rather than that such a precedent should be publicly allowed. It is at

least clear that the present laws of society in this matter do not agree with the laws of God, as they were in David's time. With this example before us, I think it will be felt that those persons whose office it is to guide the moral and religious principles of the nation, have a grave responsibility lying upon them, whenever any life is thus sacrificed, —whenever, indeed, any life is jeopardised or enfeebled, by the withholding of such help as God has provided.

O.—SOLOMON.

1. The history of Solomon suggests one or two remarks on this subject of an obvious nature. Although he began life so well, desiring from God the gift of wisdom above all earthly riches, and although the great honour was given to him of building that magnificent Temple, which God Himself deigned to inhabit with His visible Presence; yet it seems that even his soul was unable to withstand the effect of all the riches, power, and luxuries which flowed in upon him. And so we read of his later years, (*1 Kings* xi. 1—9.)

“But King Solomon loved many strange women, beside the daughter of Pharaoh; women of the Moabites, Ammonites, &c. . . . of the nations concerning which the Lord said unto the children of Israel, Ye shall not go in to them, neither shall they come in unto you; for surely they will turn away your heart after their gods: Solomon clave unto these in love. And he had seven hundred wives, princesses, and three hundred concubines; and his wives turned away his heart. For it came to pass when Solomon was old, that his wives turned away his heart after other gods; and his heart was not perfect with the Lord his God, as was the heart of David his father. . . .

“And the Lord was angry with Solomon, &c.”

Here then is a flagrant instance of the violation of that law in Deuteronomy which we have already discussed, as well as of some other commandments having special reference to the nations of Canaan.

And here also, together with the offence, is the rebuke and punishment clearly set forth.

II. One expression in the above passage is noteworthy :—“his heart was not perfect with the Lord his God, as was the heart of David his father.” From this we may see that David’s heart was *not* turned away from God by his wives and concubines; and therefore that the Bishop of Lincoln’s censure in reference to 2 Sam. v. 13 is not merely *negatively*, but *positively* shown to be unfounded. His sin with Bathsheba, though it produced a temporary displeasure, did not cause a permanent estrangement from his God.

III. The very definite statement of “700 wives, princesses, and 300 concubines,” though it does not tell us exactly what was the distinction between them, yet it confirms the fact which we have before frequently observed, that *some broad distinction* was clearly recognised between the two classes.

P.—REMAINING PERIOD, TO EZRA.

I. The records of the two Jewish kingdoms contain several statements and incidental expressions, which show that polygamy continued still in force: but we need not dwell upon them individually. It must be obvious that if either polygamy or concubinage had been discontinued during the later periods of the Sacred History, especially if this discontinuance were effected in obedience to any specific commands from Almighty God, so great a change could not have been passed over in silence; most especially if it were intended to lead to the future and permanent destruction of the system.

II. One other fact however may be noticed before we part with the Historical Books. When Ezra brought back a large portion of the Jewish people from their Babylonian Captivity, it was found that many of those who had returned some years previously, had contracted marriage with the

“people of the lands,” viz., the Canaanites, Hittites, etc. This transgression of God’s very express commandment caused great distress of mind to Ezra ; who made a lengthened confession and prayer before Almighty God. And ultimately, with the general consent of the people, a Commission was appointed to investigate the matter thoroughly, and to separate the strange wives from their Jewish husbands. *Ezra ix. x.*

Nehemiah also, a few years later, found the same cause of offence, and expostulated with the Jews on the subject. *Neh. xiii. 23.*

But on neither of these occasions was any remonstrance made, nor any new precept given, on the subject of polygamy or concubinage ; things with which the people must certainly have been familiar during their sojourn in Babylon.

III. This circumstance also deserves some further consideration in reference to the question of Divorce.

That the Jews implicated in these marriages had transgressed a positive commandment of their Law was acknowledged even by themselves : and therefore it may be said perhaps by some persons, that their marriage was invalid from the beginning. But this prohibition of marriage with the Canaanites, etc., was professedly founded upon reasons of prudence and expediency, “lest their daughters make thy sons go a-whoring after their gods :” it was not of an essential or fundamental character, such as the prohibition of marriage between father and daughter, or with another man’s wife. That marriage with the Moabites or Egyptians was not in this way *essentially* impossible or invalid, is shown by the case of Ruth, a Moabitish woman, who became the wife of Boaz, a progenitor of king David. And therefore one would suppose, if the marriage bond generally were of such an inviolable character as some declare, that this would rather be a case for applying the maxim, *Fieri non debuit ; factum valet*. Such however was not the

judgment of Ezra, nor of Almighty God Himself, if we are to suppose that Ezra was acting under Divine guidance: and therefore we can perhaps say no more on the matter than that divorce and separation were lesser evils in God's sight than marriage with the Canaanites.

And yet, it would be more satisfactory if we could draw some direct and practical instruction from this narrative, as a guide for our own conduct in similar circumstances. Many of the historical facts of the Old Testament, (perhaps we might say *most of them*,) have their chief value for us in the moral lessons which they teach us: a Christian Minister scarcely ever preaches from an historical text without endeavouring to draw some practical lesson, to find some *application* of the subject, suitable to the present circumstances of his hearers. That many Christians are placed in circumstances analogous to those of the offending Jews, is only too plain. Either through carelessness, or ignorance, or even wilfulness, they may have contracted marriage with idolaters; perhaps with Hindoos, or other actual unbelievers; perhaps with professed Christians who are *covetous*, greedy of money, and therefore, in St. Paul's view, "idolaters," not less likely to turn away their hearts from God than were the Moabites of old.

Does this passage in Ezra supply us with any guidance as to what a man should do in such circumstances?

The *first* lesson on the subject is of course a general warning to all, men or women, to be careful in avoiding such ill-assorted unions.

But *secondly*, when the thing has been done:—Are men to put away their idolatrous, or their covetous, wives, like those Jews? Even when there are children born of them?

Or, must we close the Book, and say, There is no further lesson to be learnt *here*?—

For myself I confess, I am not prepared at present to answer these questions.

CHAPTER IX.

THE PROPHETICAL BOOKS.

WE come now to consider the testimony of the Didactic and Prophetical Books of the Old Testament : but it will not be necessary to quote these in any lengthened detail. They contain nothing on this subject that is inconsistent with those portions of the volume which we have already examined.

I. First we may observe that the sins of whoredom and adultery are condemned in various passages of these Books: *e.g.* in the Book of Proverbs, *chaps.* ii. v. vi. vii. the Preacher earnestly warns the young man against the wiles and dangers of the "strange woman": but in these places, this character is clearly defined either as an harlot, or an adulteress : nothing is said against polygamy as a matter of principle. One exhortation however of this Book requires notice. "Rejoice, he says, with the wife of thy youth." (v. 18.) The excellence of this advice none will dispute. That a man should be satisfied with the one wife of his youth is no doubt much better than that he should add to her any number of other wives or concubines. In short, that monogamy is *better*, much better, than polygamy, is a truth which we have no desire whatever to depreciate or deny. Nevertheless, this admission does not weaken the fact which seems too plain to be disputed, viz. that in the Old Testament at least, polygamy was allowed, and with the Divine Sanction : and that there is not to be found there one single verse expressing anything like a general prohibition or censure of it, as a matter of principle.

In the Book of Ezekiel, *chs.* xviii. and xxii., are many particular offences of impurity recounted ; but nothing is

mentioned among them touching upon polygamy or concubinage.

11. In reading the Books of the various Prophets, in relation especially to this subject, we cannot help being struck with one feature which is very frequently and prominently presented to us. Although they do not very often denounce the sins of whoredom and adultery in the *literal* sense, they abound with denunciations of these things in the *figurative* or *spiritual* sense. "How is the faithful city become an harlot!" (*Isaiah* i. 21.) "But thou hast played the harlot with many lovers." (*Jerem.* iii. 1.) Passages of this kind are so numerous and familiar that it is superfluous to multiply quotations. The 16th chapter of Ezekiel contains an elaborate account of God's first espousal and covenant with Israel, and her subsequent faithlessness and adulteries against Him. What then is the explanation of this fact, or what inferences can we properly draw from it?

(1.) First, as to the groundwork of this *allegory*, we have already touched upon it in reference to St. Paul's exposition of the Two Covenants. (See above, Chap. II. v. *note*.) These passages from the writings of the Prophets, and especially that in Ezekiel, furnish ample illustrations and confirmations of the allegory which the Apostle has there unfolded.

(2.) Secondly, we may observe that the great sinfulness here attributed to spiritual fornication is sufficient testimony of the wickedness also of the natural crime; so that no one can say that such offences are not amply and uniformly condemned in the Sacred Volume.

(3.) The greater preponderance given to the subject of spiritual over literal fornication may probably be ascribed in some measure to the greater frequency of the one sin than of the other among the Jewish nation. Fornication, in the ordinary sense, does not seem in fact to have been

one of the most prevalent sins of the Israelites. When any complaint of this kind is made, it is generally in connexion with the women of the Moabites, &c., as in the Wilderness, in the days of Balaam ; or again, as in the case of Solomon, and the Jews of Ezra's time. If this was really the fact, it agrees with what has been observed of other countries where polygamy prevails, as in modern Turkey ; namely, that ordinary prostitution is almost unknown there. And if a comparison is to be made between these two things, polygamy, or a recognized system of concubinage on the one hand, and loose, unregulated fornication on the other, there can be no question as to which is the most offensive to Almighty God, whether in a Christian land or any other ; nor yet as to which is the most mischievous and ruinous in its temporal consequences.

(4.) There is one other inference that we can hardly fail to draw from the preponderance we have here noticed ; namely, that, great and serious as are the crimes of natural whoredom and adultery, the sins which are represented by spiritual whoredom are even greater,—much greater and more perilous. Idolatry, and the worship of false gods,—these appear to have been the particular offences referred to generally by the prophets : not merely the worship of an unknown, Supreme Being, under some other Name than Jehovah ; not merely a certain ignorance of the true nature and character of God ; for that is an ignorance to which we must all be more or less subject as long as we are in the flesh ; not merely, perhaps, the setting up of figures, images, or pictures, as memorials or representations of the Divine Attributes, (though in any form or for any purpose, this proceeding appears to be condemned as leading to abuse and mischief :) but the actual worship of some created thing, a belief that it possesses some power or virtue of its own, apart from the Sovereign will of Almighty God. It would lead us away from our subject, to attempt an exposition of the

various forms of idolatry, or to compare them with the earthly sins by which they are typified : but it is a subject of much importance,—important to the honour of God Himself, and to the true interests of religion. We shall only add here one observation,—one warning, which seems to be much needed in the present day. We know that there is such a thing as,—not only worshipping an idol or false god, but,—a *meretricious form of worship* addressed to the True God ; and which is probably oftentimes vastly more offensive in the sight of that Great Being, even than the act of the poor, despised, *meretrix* herself. Ὡς φρονίμοις λέγω κρίνατε ὑμεῖς ὃ φημι.

Q.—AHOLAH AND AHOLIBAH.

III. There is one chapter in the Book of Ezekiel of a somewhat remarkable character, to which I desire particular attention.

Ezek. xxiii. 1. "The word of the Lord came again unto me, saying,

2. Son of Man, There were two women, the daughters of one mother ;

3. And they committed whoredoms in Egypt ; . . .

4. And the names of them were Aholah the elder, and Aholibah her sister :

And they were mine, and they bare sons and daughters.

Thus were their names ; Samaria is Aholah, and Jerusalem Aholibah.

5. And Aholah played the harlot, when she was mine ;

She doted on her lovers, the Assyrians, etc., . . .

11. And when her sister Aholibah saw this,

She was more corrupt . . . than her sister in her whoredoms."

(1.) Here we have the same familiar allegory of which we have just been speaking, presented to us again, but with one peculiar feature. The two kingdoms of Israel and Judah are represented separately as two sisters, "daughters of one mother," both of them espoused or married to the

Lord Jehovah, and both unfaithful to their marriage obligations. The prophet Jeremiah (iii. 6) has precisely the same figure of the two sisters, and the same accusation against them,—“backsliding Israel, and her treacherous sister Judah.”

Here then, in this chapter of Ezekiel,—where the subject is rather more elaborately worked out than in the similar passage of Jeremiah,—here the Lord God declares of these two sisters, “they were mine,” mine, that is, by the bond of marriage; (or perhaps we should say, bearing in mind St. Paul’s exposition,—of concubinage.) But in some sense or other, whether figuratively, allegorically, or spiritually, Jehovah “married” these two Sisters: and I have to ask here, Is it conceivable, is it possible, that Almighty God could have done such a thing as this, or could have used this language concerning Himself, if the marrying two sisters were a crime? Or, Could that be a sin in Jacob, when done *literally, in the flesh*, which the Lord declares Himself to have done *in the Spirit*?

This question must be answered. The passage here quoted is not an obscure, isolated, expression: it is a chapter taken from one of the Greater Prophets, one of the most distinguished: it agrees closely in its general character and imagery with a large portion of the Prophetical Writings, as well as with other parts of Scripture; it is in fact only the development or expansion of an idea which is found pervading the Bible from beginning to end, from Genesis to Revelations; and to which St. Paul has given, not a *novel*, but an *authoritative* interpretation. It cannot therefore be altogether explained away by references to Hebrew Poetry, figurative language, and so forth. Such considerations no doubt claim some attention; but within certain limits: they would not justify us in ascribing to God any words or actions which are essentially unholy.

Moreover in this particular case, we have reason to

suppose there is something more than mere figurative language in the words of the prophet, some deeper and spiritual reality. If there is a spiritual reality in that conjugal union which is declared to subsist "betwixt Christ and His Church," we must suppose there is also some similar reality in the marital connexion here described between Jehovah, and the two sisters Aholah and Aholibah, or Israel and Judah.

Again therefore I repeat my question emphatically. Whether the language of this chapter be in truth merely figurative, allegorical, or spiritual, Would Almighty God use such language, or make such an assertion, concerning Himself, if the marriage of two sisters, "daughters of one mother," were in itself sinful or unholy?

If such a connexion was not unholy in His sight,—and as we have seen, the history of Jacob gives us every reason to believe that it was not so,—then of course there is no impropriety in the language of Ezekiel, no inconsistency with the rest of Holy Scripture, no difficulty of interpretation. On any other theory, as we have said on a former occasion, the inconsistency and the difficulty surrounding the chapter appear insurmountable.

(2.) If the marriage of two sisters together was not unlawful, of course it follows that the marriage of two sisters in succession would not be unlawful, *i.e.* Marriage with a Deceased Wife's Sister.

This proceeding however at the present moment, (1880) is contrary to the Law of England: and in spite of many earnest appeals to the Legislature, any alteration of this law has been strenuously resisted hitherto. The resistance has been based in some quarters chiefly on the belief that such marriage is prohibited by the Law of God; in others, and more frequently perhaps, on the grounds of social expediency. As to the Scriptural argument, although it has not been necessary in reference to our present subject

to discuss it fully, yet some facts have come before us which seem to give a very complete contradiction to the theory of the prohibitionists. And amongst these facts of Scripture may be reckoned this allegory or parable of the sisters Aholah and Aholibah. As to the social argument; no doubt some of the reasons urged in support of the present law deserve serious consideration; and perhaps it is not improbable that any further liberty in this respect might sometimes be abused. We have no doubt also that many of those eminent persons who are so strongly opposed to any relaxation are influenced by the highest motives in their course of opposition,—by an earnest anxiety to protect the morals of society, according to their view of the subject: and therefore we desire particularly to speak of them personally only with the greatest respect. Nevertheless, though it is not our business on the present occasion to go fully into this question, we must take this opportunity of saying that these opponents appear to have not sufficiently understood some of the very serious reasons existing on the other side. They seem to think that none other than sensual and unworthy motives can give rise to a desire for marriage under the circumstances of which we now speak: whereas the presumption ought to be entirely the reverse. If ever there is a case when something more than mere earthly feelings may be supposed to draw two persons together, it must surely be when both are united by a common love to one that is gone, and to the motherless children that are left. To put a veto upon this union by human laws, is to cause an amount not only of mental suffering, but of serious domestic difficulty and damage, which is in numberless cases very oppressive, and is sometimes intolerable: it is an act of cruelty and tyranny which cannot be justified unless the most clear and undoubted authority of God's own Word can be shown to require it. It deprives a family

oftentimes of the help and presence of that one person who of all others in the world is the most necessary to them, perhaps the only one who can give any substantial help and comfort in the time of their distress. The loss to the bereaved husband, to the young children, who can estimate? And the lives of infants are sacrificed,—who can tell how often?—for the want of that care, that *loving, motherly care*, which none other than a mother's sister can then give; but which she generally cannot give, or cannot safely give,—can never *fully* give,—otherwise than as the wife of their father.

Assuredly, I repeat, those persons, eminent and excellent as they may be in other respects, who put their veto on this union, and who do it in the teeth of such strong testimony as we have found in the Bible, *do not know* the responsibility they are incurring,—*do not know* the wrong they are doing. “Take heed that ye despise not one of these little ones!”

We have now reviewed all the parts of the Old Testament which appear to have any material bearing upon the points at issue. We have seen that both Polygamy and Concubinage were practised by many of those men whose lives are most highly distinguished in these sacred Annals; distinguished not merely by worldly pre-eminence, but by their personal piety, faith, and communion with Almighty God: and that nowhere, in any case, were these practices rebuked or condemned by Him, (except in case of excess.) We have seen also that they were positively recognized and allowed in that Code of Laws which is declared to have been delivered to Moses by the Lord Jehovah.

These are the *facts of Scripture*; plain facts, without distortion; and which cannot be denied.

And these facts, taken altogether, I venture to say amount to not merely a passive, unwilling toleration of

these things on the part of Almighty God,—a toleration which, as we have before said, seems quite unworthy of the Divine character, as well as inconsistent with all that is related of God's dealings with mankind ; but they constitute a very substantial and positive sanction ; such as does not indeed necessarily imply that these are among the highest or most perfect conditions of human life, but such at least as forbids us to call them sinful, immoral, or unholy. That which God Himself tolerated so far, without censure, in His most favoured servants, it certainly seems very presumptuous in man to pronounce *intolerable*, not good enough for his own pride, righteousness or boasted civilization.

I have only to add one word in this place as to the nature of that concubinage of which we have been speaking, and which some persons may think we have not defined with sufficient clearness. The conditions pertaining to that connexion are not precisely defined in Scripture itself. That some broad distinction existed between wives and concubines is a fact which we have noted on several occasions ; but for any closer definition, so far at least as relates to the concubines of the Old Testament, we have already quoted a work of high authority on the subject, Dr. Smith's Dictionary of the Bible, and for the present we may be satisfied to rest upon the account there given.

CHAPTER X.

THE NEW TESTAMENT.

WE come now therefore to examine the testimony of the New Testament on these important questions, namely, of Concubinage as the principal subject, and also of Polygamy and some other points as closely related to it. It is of course possible that we may find, under the New Dispensation of the Gospel, commands or precepts of some form or other which modify or limit the permission given to these things under the Older Dispensation: and if so, then no doubt as Christians we shall be bound to accept such precepts, even if they impose great restrictions upon the liberty previously allowed. At the same time, believing both the Old and the New Testaments to have come originally from the same Divine Author, we shall hardly expect to find any material diversity in His laws upon fundamental principles of morality so important as these are: and after the strong testimony which we have met with in the Old Testament on one side, we shall require very clear evidence before we accept anything in the New in a sense directly contradictory of the former.

1. It is hardly necessary to observe that the sins of adultery and fornication are clearly and repeatedly condemned in all parts of the New Testament, both in the Gospel Histories and the subsequent writings. Our Lord further enlarges the force of the original commandment on this point by declaring that whosoever looketh on a woman to lust after her, (unlawfully,) hath committed adultery with her already in his heart. And generally we may say that the Gospel of Christ sets before us a higher standard of holiness and purity than is apparent under the Mosaic

dispensation. In this respect, then, as in some others, we may recognise the truth of a principle to which we have before adverted (chap. II. A. vii.). Not only did the Law serve the office of a schoolmaster to bring us to Christ, but it was adapted to an earlier stage of the world's history, when men had not yet learnt some of the highest and most spiritual truths of religion, and were not able to bear so strict a discipline as is befitting to Christians. This, I say, may be admitted clearly enough as a *general principle*: the important question which we have here to keep in view is this, whether or not the practices now under discussion are really and definitely condemned as immoral under the laws of Christianity.

II. Neither polygamy nor concubinage are directly mentioned in any of the Gospels. Our Lord however delivered his judgment on the subject of divorce and re-marriage; and these dicta of his appear to have a material bearing upon both the points in question. We shall endeavour therefore to consider carefully and exactly what He did say on these matters: and if in considering these words of his, with other passages of the New Testament, we are led almost unavoidably to take a wider view of our subject, i.e., to consider some principles which pertain to marriage in general, and not merely to that form of it which is called concubinage, this course will be better than to run the risk of omitting any considerations which might be of importance.

The declarations of our Lord which refer to this subject are contained most fully in two passages of St. Matthew's Gospel: the corresponding places in St. Mark (x. 2—12), and St. Luke (xvi. 18), being, as far as they go, nearly word for word identical with St. Matthew. These declarations are as follows:—

(a.) *Matt. v. 31.* "It hath been said, Whosoever shall put away his wife, let him give her a writing of divorcement: 32. But I say unto you, That whosoever shall put away his wife, saving

for the cause of fornication, causeth her to commit adultery : and whosoever shall marry her that is divorced, committeth adultery."

(b.) *Matt.* xix. 3. "The Pharisees also came unto Him, tempting Him, and saying unto Him, Is it lawful for a man to put away his wife for every cause ?

4. And He answered and said unto them, Have ye not read that He which made them at the beginning made them male and female, and said, 5. For this cause shall a man leave father and mother, and shall cleave to his wife ; and they twain shall be one flesh ? 6. Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder.

7. They say unto Him, Why did Moses then command to give a writing of divorcement, and to put her away ?

8. He saith unto them, Moses, because of the hardness of your hearts, suffered you to put away your wives : but from the beginning it was not so. 9. And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery : and whoso marrieth her which is put away doth commit adultery.

10. His disciples say unto Him, If the case of the man be so with his wife, it is not good to marry.

11. But He said unto them, All men cannot receive this saying, save they to whom it is given. For there are some eunuchs which were so born from their mother's womb : and there are some eunuchs which were made eunuchs of men : and there be eunuchs which have made themselves eunuchs for the kingdom of heaven's sake. He that is able to receive it, let him receive it."

The first part of the above extracts concerns chiefly the question of Divorce, a question as to which we are told there was a great controversy among the Jewish Doctors concerning the proper application of the law in Deuteronomy (*Deut.* xxiv. 1—4) : but there are also some expressions here which appear to touch the question of Polygamy. As these two subjects are in some measure distinct from each other, in order to avoid confusion and needless repetition, it will probably be more convenient to deal with them separately : and as we have hitherto

had occasion to speak chiefly of polygamy, we will take that branch of our subject first, and consider all that appears to have any material bearing upon it, either in the words of our Lord Himself, or in the subsequent writings of the New Testament.

THE QUESTION OF POLYGAMY.

III. In the ninth verse of *Matt.* xix., quoted above, we read, "And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery." These words have been thought by some persons to contain a prohibition of polygamy: it will be desirable, therefore, to examine them carefully, to see if this be so.

When our Lord says, Whoso puts away his wife and marries another, commits adultery, He names two distinct conditions, with one result: and the question arises whether the result is produced (i.e., whether adultery is committed) by either of these two conditions singly, without the other; or only as He Himself states it, by the two together. That is to say,—

Is a man guilty of adultery, if he merely puts away his wife, (without the one sufficient cause), and *does not* marry another? (A.)

Or, Is he guilty if he does not put away his wife, but marries another in addition? (B.)

Or, Is he guilty *then*, and *then only*, when he puts away his wife, (without due cause), and *also* marries another? (C.)

As to the first of these hypotheses (A.) we shall not have much difficulty in dismissing it. It is not to be supposed, from the nature of things, that *divorce alone* constitutes adultery. Moreover, our Lord Himself had already dealt with this particular case, (*Matt.* v. 32,) and had only

said of it that the man thereby "*causeth her* to commit adultery."

The second hypothesis, (*B.*) is not so easily disposed of. Many persons at first sight perhaps may jump to the conclusion that the essence of adultery is the being joined to another man or another woman, while the former husband or wife is still living, and not lawfully divorced: and so they will accept this second hypothesis as true. If this is true, then of course it amounts to a direct condemnation of polygamy. This therefore is a point which evidently requires careful examination.

(1.) First, it is of some moment to observe that in the three places where this declaration of Christ is recorded, (*Matt.* xix., *Mark* x., *Luke* xvi.,) the words are always precisely the same, *i.e.*, containing the *two* conditions; "Who-soever shall put away his wife, and marry another." In no place does He deal with the case of our second hypothesis, the case of polygamy. Moreover, on the occasion when this declaration was made, the question brought before Him was entirely the question of *divorce*, not of *polygamy*. So far as we know, there was not any doubt or controversy at all on this point among the Jews: it was received and practised as a settled part of their social institutions. For these reasons therefore, it is at least *not clear* that these particular words of Christ can be taken as a condemnation of polygamy; He does *not* say that a man who takes a second wife in addition to the first is guilty of adultery. And although this may seem to some persons a very natural or even necessary inference from what He does say, and especially from his application of the words of Genesis, yet we must bear in mind that in matters of religion it is necessary to be very cautious in drawing inferences beyond the positive declarations of Scripture itself. When we are treading on the confines of an unknown region, the world of spiritual verities, it is often not safe to advance a single

step beyond the line to which the inspired Word guides us. This is a maxim which is often neglected in theological controversy, and the neglect of which has probably produced more contention, strife and false doctrine than any other cause. It is enough then to say here, that this hypothesis, whether it be true or not, is at any rate not a *necessary* deduction from the words of Christ.

(2.) But the most serious objection to this hypothesis is that it brings us into fatal collision with the facts of the Old Testament. If it be true that a man who takes another woman to wife, in addition to a present wife, is guilty of adultery; if this be true as a fundamental principle, and not merely by the force of any local or temporary enactment; if it be true in the widest sense of the term *wife*, (*i.e.*, including both wives and concubines:) *then* certainly Abraham was guilty of adultery when he took Hagar to wife in the lifetime of Sarah; and yet, "the Lord appeared to Abram," and gave him no rebuke; twice God interfered to prevent the adultery of Sarah, but cared not to prevent that of Abraham himself. *Then*, Jacob was guilty of adultery when God met him at Peniel, with his two wives and his two concubines; yet, "He blessed him there." *Then*, Elkanah and Hannah were living in adultery when they appeared before the Lord in Shiloh; yet they received, in direct answer to their prayers, the blessing of a son, the child Samuel. *Then* was David living in adultery with his several wives in Hebron; and yet, "the Lord God of Hosts was with him." And lastly, *then* were the sisters, Aholah and Aholibah, joined in adultery not only to their lovers the Assyrians and the Egyptians, but to Him also who espoused them both together, and said of them, "They were Mine; and they bare sons and daughters"!

Is it possible to carry the *reductio ad absurdum* beyond this?

There is however, happily, an alternative hypothesis by

which we may escape this serious dilemma: and it is found in the simple method of taking the words of Christ exactly as He uttered them; without addition, without omission, without alteration; "I say unto you, Whosoever shall put away his wife, (except it be for fornication,) and shall marry another, committeth adultery." This is our third hypothesis, (C.) as stated above.

This interpretation does not condemn polygamy; and therefore is so far in agreement with the laws and customs which had been allowed from the times of the Patriarchs.

iv. But although this particular declaration of our Lord's may fairly be understood in this sense, yet it has been said that the words of Genesis which He quotes show that monogamy, the union of one man and one woman, was the original intention of the Creator; and also that this union should be indissoluble: in other words, that they forbid both Polygamy and Divorce.

God, at the beginning, "made them male and female, and said, For this cause shall a man leave his father and his mother, and shall cleave to his wife: and they shall become one flesh."

These words, as we observed in the early part of our Essay, are not a little obscure. "He made them male and female"; ἀρσεν καὶ θῆλυ ἐποίησεν αὐτούς: not, "a man and a woman"; not necessarily implying that He made one pair only; but that He made them *in two sexes*. The same phrase would be perfectly applicable if there had been fifty males and a hundred females originally created: the same identical words would apply to all the various species of the brute creation in which the same distinction of sex is found, whether created in pairs or otherwise. Neither these words, then, nor the circumstances of Creation, as described in Genesis, could be held, I think, of themselves to imply a law of monogamy among mankind, any more than among the brutes.

But it is added, "Therefore shall a man leave his father and his mother, and shall be joined to his wife ; and they two shall become one flesh."

Will anyone undertake to explain this last expression ? It is certainly more easy to say *what it does not mean*, or at least what is *not true* in this respect, than to say what *is true*.

It is not true *literally*, that man and wife become one flesh, so that if the one is wounded in the flesh, the other feels pain in the flesh ; or if the one takes food into the body, the other is nourished thereby. It is not true in such a sense that when one dies in the flesh, the other perishes with him.

As to any moral or spiritual union between the two, or any social or civil unity, we need not enquire into these points ; for this is not what is predicated by the words in question.

But,—whatever may be the effect intended by these words—the practical question here is this, Is it defeated by polygamy ? If a man has several wives, does the fact of his being made "one flesh" with the first prevent the same unification, or "oneness," with the rest ? or even with others who are not lawful wives ? It would seem not : for St. Paul writes, (1 Cor. vi. 16,) "What ? know ye not that he which is joined to an harlot is one body ? for two, saith he, shall be one flesh."

Until then any definite interpretation is given to these expressions, anything more intelligible than is readily apparent from the words themselves, or more certain and more authoritative than is to be found among ordinary Expositors, we can hardly admit them to contain an absolute prohibition of polygamy ; an interpretation which as we have seen would be in violent conflict with all the rest of the Old Testament ; and which also is not in accordance with the purpose for which they were cited by Christ in his discussion with the Pharisees.

So far then we do not find anything like a direct or positive prohibition of polygamy in these words of the Lord Jesus Christ ; and there are no other places in the Gospel histories where the subject is directly referred to. In the later Books of the New Testament, there are some few passages which bear upon the subject in some degree ; and these we now proceed to notice, with the intention of returning again to this passage of St. Matthew's Gospel, in connexion with the question of Divorce.

v. If any new law was to be given by Christianity on the subject of Polygamy or Concubinage, especially with reference to the practice of these things by the Gentiles, there was one occasion where we should certainly expect to find the subject mentioned. This is at that first Council of the Church which was held in Jerusalem, as related in the 15th chapter of the Acts. The primary occasion of this assemblage of the Apostles and Elders was to determine the question of Circumcision, whether or not this rite was necessary to be observed by the Gentile converts to Christianity. The Apostles agreed unanimously that it was *not* necessary : but in releasing the Gentiles from this obligation, they specified some particular points which they desired them to observe. "It has seemed good, they said, to the Holy Ghost and to us, to lay upon you no greater burden than these necessary things ; that ye abstain from meats offered to idols, and from blood, and from things strangled, and from fornication : from which, if ye keep yourselves, ye shall do well." These brief injunctions do not profess, of course, to include the whole code of Christian morality : they are probably matters, like the question of circumcision, upon which some doubt or controversy had arisen about that time, or was anticipated by the Apostles ; or they were points, if not doubtful, upon which special warning was considered necessary, as in the case of fornication. But nothing is said here about poly-

gamy. As it cannot be alleged that this practice had altogether died out in the world at that time; as it had not been prohibited hitherto by any divine ordinance; this silence of the Apostles is certainly strange and unaccountable—if at least they, or the Holy Ghost through them, had any desire to abolish it for the future.

vi. St. Paul, writing to the Romans on the subject of the dominion of the Mosaic Law, uses an illustration from the state of Marriage. “Know ye not, brethren, (he says,) for I speak to them that know the law, how that the law hath dominion over a man so long as he liveth. For the woman which hath an husband is bound by the law to her husband, so long as he liveth; but if the husband be dead, she is loosed from the law of her husband. So then, if while her husband liveth she be married to another man, she shall be called an adulteress; but if her husband be dead, she is free from that law; so that she is no adulteress, though she be married to another man.” (*Romans* vii. 1-3.) This passage is not a positive argument, but it is at least a strong corroboration of our argument, on the subject of polygamy. The Apostle says of the *woman* only, not of the *man*, that if she intermarries with another, she is guilty of adultery. His application of the law to the woman only is sufficiently explained by the fact that the law itself is only so applied in the Mosaic Code; (see above, Chap. VI. § i.) and that it was not merely accidental or without significance on the part of the Apostle is rendered still more evident by a similar passage in his Epistle to the Corinthians; (1 *Cor.* vii. 39.) there he repeats exactly the same rule, not as an illustration of any other subject, but in a passage specially devoted to the subject of marriage. It will hardly be doubted, I think, that when St. Paul wrote these sentences, he *did* intend to limit the rule exclusively to the *woman*, and did not recognize any law against polygamy on the part of the *man*.

VII. In the beginning of this last-named chapter, however, (1 *Cor.* vii.) there is an expression, the import of which seems somewhat doubtful. "Nevertheless, he says, (verse 2.) to avoid fornication, let every man have his own wife, and let every woman have her own husband." This, it has been said, clearly shuts out polygamy. But is this inference so very certain? The primary object of St. Paul's advice is that everyone, both man and woman, should live in the married state, not in the state of celibacy. In any community where the number of the women was double the number of the men, this condition would be fulfilled if each man had, (on the average,) two wives: and so with any other proportionate excess. But on the principles of monogamy, St. Paul's recommendation could not be fully adopted in any place where there was an excess of one sex over the other. Where the numbers were absolutely equal, then no doubt the precept would have its fulfilment in a general state of monogamy: and as these numbers are said to be generally nearly equal, in most countries of the world, it would follow, on Christian principles, that monogamy would generally be the prevailing practice. But still this does not amount to the establishment of a fixed law, prohibiting polygamy altogether, as a matter of principle.

St. Paul's words throughout this chapter show very clearly the distinction which he made between positive laws and commandments which were unalterable, and mere recommendations which he gave in some cases on his own judgment, without any specific command from the Lord; and sometimes purely with a view to local circumstances. See ver. 2, 6, 10, 12, 25, 26, 39, 40.

And this fact may perhaps indicate the true solution of the difficulty or discrepancy which otherwise appears to exist between different parts of the Sacred Volume, or at least between the different conclusions which have been drawn from them. Polygamy, which was allowed freely in

the Older Dispensation is not absolutely forbidden under the Gospel by any positive law : but the state of monogamy may be understood to be *recommended*, as being on some accounts more desirable. This position is perfectly intelligible, and also analogous with the teaching of Scripture in other matters. *E.g.* The possession of riches is not positively forbidden as sinful in any part of the Bible : but yet the Gospel contains warnings against riches, and especially against the love of riches, much more numerous, more direct, more urgent, than anything that is said against Polygamy. So again with regard to temperance, either in the matter of strong drink or any other indulgence of the flesh. Wine itself and such things are not entirely or generally prohibited ; but we are required to use them with moderation ; it is the excess, the abuse of these good gifts, which becomes sinful.

And such appears to be the Gospel rule also in the matter of Polygamy. There is not, it is confessed, any absolute prohibition of it in the Sacred Volume : but anyone who indulges himself to excess, or beyond what is needful or suitable to his particular circumstances, so far offends against those laws of temperance which are laid upon all men, and still more against those duties of self-control and selfdenial which are specially incumbent on the Christian.

VIII. Another passage in St. Paul's writings which may be said to favour strongly the condition of monogamy is in his Epistle to the Ephesians, *Chap. v., verse 22, ad finem*. This passage, agreeing so well with the elevated tone of this Epistle generally, has doubtless been a source of comfort and happiness to hundreds and thousands of Christian hearts, husbands and wives, who have been truly joined together in the Lord. Far be it from me to say anything to weaken the force of such divine consolation. But this at least we may venture to say. There is

no sign that St. Paul is here propounding any new law on the subject of Marriage. He is showing how that precept of the Decalogue, like others that he refers to, is to be most perfectly obeyed on Christian principles, with a special regard to the example of Christ Himself. And it may fairly be urged that these mutual obligations of the husband and the wife can never be so fully and faithfully performed under the system of polygamy, as when the two are individually devoted to each other. This therefore is another reason for which Monogamy may be strongly recommended as *preferable*; a truth which we have already acknowledged in noticing Solomon's advice in the Book of Proverbs: (see above, Chap. IX., § i.) But still even this does not constitute a positive law forbidding polygamy in every degree and for every man. If such a law is to be found elsewhere, well and good: but at least it is not contained in this chapter.

IX. Once more we have some directions given by this same Apostle which appear to limit or disapprove of this practice in some particular cases, though not universally. Writing to Timothy concerning the office and qualifications of a bishop, (including probably in this term the elders or presbyters also,) St. Paul says,

“A Bishop then must be blameless, the husband of one wife, vigilant, sober,” etc. 1 *Tim.* iii. 2—7. Cf. *Titus* i. 6.

Again,

“Let the Deacons be the husbands of one wife, ruling their children and their own houses well.”

What the Apostle here means by “the husband of one wife,” is a matter of some dispute: whether he designates a man who has not more than one wife at a time, *i.e.*, not a polygamist: or whether he means a man who had not married a second time, after the death of his first wife.

There appear to be weighty authorities on both sides of this question : but as it affects our present subject only somewhat indirectly, it will not be worth while to review the matter here at any great length. Among those who hold the latter interpretation, (viz., one who has not married a second wife,) is the Bishop of Lincoln : and his view appears to be chiefly based upon two assumptions ; (1) that this phrase, *μᾶς γυναῖκός ἀνδρα*, is best explained by a similar phrase, (in 1 Tim. v. 9) *ἑνός ἀνδρός γυνή* and (2) that this latter phrase means "a woman who has not been married more than once." This latter interpretation, limiting the privileges of the widows to those who had only been once married, is evidently open to very grave objections ; and though, as we shall see by and bye, some rule of this sort appears to have been in existence at a later period, in the Church, we cannot accept this as the meaning of St. Paul, without the clearest evidence to that effect. It is introducing a restriction upon the liberty of a woman contrary to everything ordained in the Law of God ; contrary to principles which St. Paul himself had so clearly admitted and enforced. On two occasions, as we have just seen above, he refers to the law by which a woman is free to marry again when her husband is dead : and although in one place he gives his opinion that she is happier if she remains single, this falls very far short of ordaining a law to that effect. Among the numerous cases of widowhood that are constantly occurring, it might often be a moral duty on the part of the woman to marry again : in the case of the surviving brother, as prescribed by the levirate law in *Deut. xxv. 5-10.*, it would be her positive duty to marry her husband's brother, even, if need be, according to the problem of the Sadducees, to the seven brethren. Would it be just, then, in any such case, —if at last she is still left a widow and in need of such assistance as the Church provides for widows, —would it be just to exclude her from these benefits simply on the ground

of her re-marriage? Can we believe that St. Paul would ever establish such a rule? But here are his own directions on the subject in this chapter,—“Let a widow be taken on the roll not under sixty years of age, . . . well reported of for good works, etc. . . . But the younger widows refuse; for when they have begun to wax wanton against Christ, they will marry; having damnation, (or, being liable to censure,) because they have cast off their first faith. . . . I will therefore that the younger women marry, bear children, etc.” (1 *Tim.* v. 9-14.) These considerations seem quite inconsistent with such an interpretation of the phrase, “the wife of one man,” as we have quoted above. But on the other hand, it was a law generally recognised both by the Jews and the Heathen, that a woman could not properly have two husbands at once; and if any transgressed this law,—a thing which of course might occasionally happen,—then it would be quite right and reasonable that such should be excluded from the privileges and the roll of the honourable widows.

On similar grounds it seems unreasonable to limit the choice of a Bishop or Elder to one who has not married a second wife; there being nothing whatever in the Law of God to warrant such a restriction. But whatever may be said on either side of this celebrated controversy, it is enough for us perhaps to appeal to the existing laws and canons of the Church of England. No such limitation is recognised by our Church on this point: and therefore, whatever private opinions any of our Bishops may hold on the matter, it seems hardly competent for them to maintain any such theory as being the doctrine of Scripture; unless at least they choose to make a public protest on the subject, with an endeavour also to establish a law to the same effect.

We must take it then, for the present, as being both the most reasonable interpretation, and also the one accepted

by our own Church, that the Apostle here *does not* limit his choice of Bishops to those who have not married a second wife; but that he *does* limit it to those who have not more than one wife at the same time. And this, being a partial and specific limitation of polygamy, is entirely consistent with the view we have expressed concerning this practice. It shows that the practice was not abolished in the Christian community generally at that time; else what need to specify that a *Bishop* must not be a polygamist? But inasmuch as a Bishop or other Minister of the Gospel should be "sober," should set an example of temperance in all things; and as polygamy must generally at least *appear* to show some degree of intemperance, or unnecessary self-indulgence; therefore this precept of the Apostle is not at all unreasonable. "A Bishop, says St. Paul, must have a good report of them which are without;" "he must be blameless," ἀνεπίληπτος, one who gives no opportunity to the adversary to *take hold of him*, to find fault with him: and therefore, though polygamy to a certain extent may sometimes be excusable in other men, it is better that a Bishop, or even a Deacon, should be free from it.

x. On the subject of Polygamy, a learned correspondent, B., whom we have before quoted, writes as follows:—

"Now Christianity, as has been often observed, did not *expressly* prohibit polygamy. It laid down principles inconsistent with it, which have universally dissolved this institution in a short time. But it does expressly forbid temporary or other than life-long connexion between the sexes. On this point, our Lord's words, (Matt. xix. 5—9.) are conclusive."

In this place, we are concerned with the first two clauses of the above passage, referring to polygamy.

Christianity, he says, did not expressly prohibit polygamy. This has been often observed: it is in fact a truth very evident on the face of the Scriptures. And what is implied

in this admission? First, I suppose, that Christianity found polygamy already existing, and as yet unprohibited. It implies also that polygamy was not expressly or definitely prohibited either by Christ himself, or by any of his inspired Apostles or Evangelists: it is not condemned by any sentence found within the Canonical Writings. If any Text could be quoted from the New Testament clearly and expressly condemning polygamy as a general principle, this would of course be at once acknowledged as giving the authority of "Christianity" against it.

But he adds, "It laid down principles inconsistent with it, which have universally dissolved the institution in a short time." This sentence contains important assertions which evidently require fuller statement and elucidation.

In the absence of further explanation from the Writer, we can only suppose that he refers to some of those principles which we have noticed in the preceding sections, the laws of temperance, the mutual duties of husband and wife, and possibly some interpretation of Christ's words in Matthew which is opposed to polygamy; and that he means to assert that on these grounds, the practice was denounced and proscribed, not within the Apostolic age, but in an early period of the Church's history. Possibly such an assertion may be true as an historical fact. Unfortunately, the early history of the Church, especially the earliest period after the time of the Apostles, is a subject enveloped in much obscurity, and one with which probably not many persons in the present day are very familiar. The records which have come down to us from this period are but scanty, and many of them of very doubtful authenticity. In a future chapter, we shall notice some of the writings and decrees of the early Church on this subject; but, for the present, we need only say that the distinction between those things which were written and ordained by the inspired Apostles, and those which were written in the succeeding ages, is a very marked and a very wide dis-

tion. We have records, no doubt, of much faithfulness and courage under persecution, on the part of the Christians of those days : but their writings contain many foolish fables, and fanciful or puerile interpretations of Scripture. And among other points of divergence from the primitive teaching of the Apostles, their tendency to disparage the married state, and to limit the rights of mankind in this respect, is one of the most conspicuous. At any rate, our own Church has clearly vindicated our liberty of faith and action, against any decrees of the Church which stand upon human authority or tradition only, and not upon the ground of Holy Scripture. "Whatsoever, (she says,) is not written therein, nor may be proved thereby, is not to be required of any man that it should be believed as an article of the Faith, or be thought requisite or necessary to salvation." (The 39 Articles, No. 6.)

If this therefore is all that can be said against Polygamy, that it was condemned in some period of the early Church, subsequent to the Apostolic times, and only by inferences from the Apostolic teaching, it will not be accepted in the present day, I think, as a conclusive condemnation of the practice ; especially in the face of that allowance of it which we have seen so abundantly exhibited in the Older Dispensation. We may think it a practice not desirable to be encouraged ; we may preach against it, especially when multiplied to excess, as vigorously as against all other forms of intemperance ; we may repeat the advice of Solomon, (which he himself so sadly neglected,) Rejoice with the wife of thy youth ; let her breasts satisfy thee at all times : but we cannot build a sermon upon any text of Scripture, still less can we establish a positive law on any such authority, absolutely prohibiting the practice to Christians, at all times, under all circumstances.

We pass on now to consider that other important point referred to in our Lord's discourse with the Pharisees,—the subject of Divorce.

CHAPTER XI.

ON DIVORCE AND SEPARATION.

THE question of Divorce was submitted to our Lord by the Pharisees, as we are told, not honestly for information, but subtilly, with a view to entangle him in a difficulty. Nevertheless, it is in itself evidently a question of deep importance. Many will say that it is one of vital importance, as a matter of principle, as determining the principles on which alone the union of man and woman is lawful: and all will agree that it is a matter of the greatest *practical* importance, especially as concerning the moral and social position of the woman and her children.

Unfortunately it is also a question encompassed with many difficulties. There are serious difficulties connected with the interpretation and application of Scripture: and others not less perplexing in dealing with the hard facts which confront us in actual, daily, life. These difficulties have been acknowledged and discussed by some of the most learned and eminent men of all ages, from the old Jewish Rabbis down to the present time: and some of them appear to be yet unsolved. We cannot hope therefore that we shall be able to solve or surmount them all satisfactorily in this brief Essay; which does not pretend to do more than take a plain view of those facts of Scripture with which it is concerned. But as the first step towards conquering any difficulty is to look it boldly in the face, to ascertain as exactly as possible what it really is, to do anything, in short, rather than ignore it, and shut our eyes to it, we may perhaps do some service if we can only point out some of the real difficulties which meet us in connexion with this important subject.

We have not had occasion to say much on this subject in dealing with the Old Testament, because in fact there are not many cases of divorce or separation recorded there. In order therefore to take a comprehensive, connected, and impartial view of the whole testimony which Scripture presents to us on this matter, it will be convenient, even at the risk of some slight repetition, briefly to recapitulate here first the leading facts and laws of the Old Testament on this subject, with such comments as seem necessary, before we proceed to consider the special teaching of the New.

1. First then, we have the original institution of marriage related in the opening chapters of Genesis. "God made them male and female, and said, For this cause shall a man leave his father and his mother, and shall cleave to his wife; and they shall become one flesh." These terms, mysterious and obscure as they are of themselves, whatever may be their full explanation, may perhaps be understood so far as to imply the original intention of the Creator, namely, that the union of man and wife should be permanent, unbroken during lifetime by any kind of divorce or separation. We say divorce *or* separation; for a distinction is made between these things in the present day which is hardly consistent with a strict interpretation of those words of Genesis. A man was to "leave his father and his mother, and cleave to his wife,"—clauses which are so intimately connected together, or so far explanatory of one another, that one is never quoted without the other. See *Matt.* xix. *Mark* x. *Ephes.* v. 31.

Such was the original law, the law of Paradise. But was there never to be any exception or variation from this law? Was it a law of such fundamental and absolute importance in the eyes of the Creator, that intercourse between the sexes on any other terms than these was accounted no better than fornication? Such appears to be

the judgment of the eminent writer, B., whom we have before quoted. "There are only two possible classes, he says, into which the connexion between the sexes can be distributed, connexion for life, and connexion during pleasure. The one is marriage, the other is fornication,"—"deadly sin," as he afterwards characterizes it.

II. In answer to this theory, we may observe in the first place, that the laws and conditions of Paradise, especially as regards the mutual relation of the sexes, can hardly be said to apply unalterably to the subsequent state of mankind. In Paradise, before the Fall, "they were both naked, the man and his wife, and were not ashamed." In Paradise, they were without sin, without sinful tempers or lusts, without any temptation of unfaithfulness to one another; without even the opportunity of unfaithfulness. In Paradise, perhaps, the man and the woman lived on terms of social equality. But not so afterwards. "Unto the woman He said, Thy desire shall be to thy husband, and he shall rule over thee." In Paradise, in short, whatever may have been the duration of that unfallen state, the condition of mankind was in many material particulars very different from what it is now, or has ever been since that era: and therefore, it by no means follows, *as a matter of course*, that every law then given concerning the social relations of man, should hold good absolutely through all the various periods of human existence that were to follow.

But beyond this *a priori* possibility of change, what do we find as a matter of fact? We have seen the dismissal of Hagar, done at the express command of Almighty God; a dismissal, which whether it may be called a *divorce* or not, at least constituted a *separation*, such as breaks through that primary law, "he shall cleave to his wife." We have seen those various enactments of the Mosaic Law, not one only, but four distinct laws at the least, in which provision

is made for the separation of man and wife, (including concubines), and on grounds other than adultery: namely, (1) *Ex.* xxi. 2-6, when a bought slave goes out free in the seventh year, leaving his wife as the property of his master; (2) *Ex.* xxi. 7-11, the case of a maid-servant, bought with money, "if she please not her master, who hath betrothed her unto himself;" (3) *Deut.* xxi. 10-14, the captive woman taken in war; "if thou have no delight in her, thou shall let her go whither she will:" (4) *Deut.* xxiv. 1-4, the bill of divorcement.

Whatever may have been the objects of these laws; and whether they were afterwards repealed or not, wholly or in part, under the Gospel; their very existence in the Mosaic Code is a fact which cannot be ignored; and if they were placed there by the authority of Almighty God, it is a fact which I think undoubtedly violates that theory of which we are now speaking; which in fact destroys it.

There is also the history of the Jews in Ezra's time, who were compelled to put away their "strange wives." On this matter we have not ventured to say anything positive beyond this, that Divorce was evidently a lesser evil in God's sight than marriage with the Canaanites, Moabites, etc. And yet, this latter practice, though in general objected to and forbidden for certain prudential reasons, was capable of an exception in its favour; as is seen in the history of Ruth. The prohibition of divorce, therefore, if there were any, would also be capable of exception, *a fortiori*.

III. Such then being the facts of the Old Testament, we have next to enquire how far they are affected by the teaching of the New.

First, we have the declarations of our Lord, as recorded in St. Matthew's Gospel; which we have already discussed to some extent in reference to the question of Polygamy, and which we have now therefore only to examine in regard to the question of Divorce. *Matt.* xix. 3. The Pharisees.

came to Jesus, "tempting him, and saying unto him, Is it lawful for a man to put away his wife for every cause?" In this passage, as well as in the other place where our Lord speaks of this matter, (*Matt.* v. 31) there is evidently a reference to the 24th chapter of Deuteronomy, concerning which, the Jewish Doctors were divided in opinion as to the particular circumstances which would justify divorcement; one party, the School of Hillel, holding that it might be done *κατὰ πᾶσαν αἰτίαν*, for any slight cause; the others, the School of Shammai, restricting it to some positive crime. Our Lord, however, as was his wont, without specially noticing the existing controversy, answers the question upon higher grounds, referring it to the original conditions of the Creation. He reminds them that when God created man, "He made them male and female, and said, (by the mouth of Adam, or perhaps, by the inspired comment of the historian), For this cause shall a man leave his father and his mother, and shall cleave, or be cemented, to his wife; and they two shall become one flesh." To these original words of Genesis, Christ adds a corollary, "So then they are no more twain, or two persons, but one flesh." The difficulty or mystery which is inherent in the original phrase, is certainly not removed or explained by this addition: it is rather intensified.

But he further adds, "What therefore God hath joined together, let not man put asunder." The meaning of these words seems clear enough; and it is perhaps fairly exhibited in the practical application which our Church makes of this sentence, (with a slight variation,) in her Marriage Service: "*Those whom* God hath joined together, let no man put asunder." This latter sentence of our Lord's then, as it stands, appears decidedly to forbid any separation of man and wife, by any human authority; and to state this law of inseparability, not as any new dogma of his own, but as a direct consequence, or an essential part, of God's original law, as declared in Genesis.

But if this were so, if this was God's meaning in those mysterious words, the question inevitably follows, Why then did Moses command to give a writing of divorcement, and to put her away? Such a permission as this was manifestly a violation of that principle which Christ had just enunciated; how was such a discrepancy between the laws of God to be accounted for or explained? Here we come to the first serious difficulty,—or at any rate one of the most serious,—that we have to encounter in this matter.

iv. *Ver. 8.* "He saith unto them, Moses, because of the hardness of your hearts, suffered you to put away your wives: but from the beginning it was not so."

(1.) The first important point to notice here is that Christ fully admits the fact which the Pharisees had stated, viz., that the permission of divorce was an authentic part of the Mosaic Law; it was no mere tradition, gloss or corruption of their own, or their Rabbis.

(2.) But was this precept written by Moses upon his own authority only? or was it given by the directions of God Himself? This is evidently a very important question; though one would hardly think there could be two opinions upon it, among those at least who acknowledge the divine authority of the Mosaic writings generally. Nevertheless, we find this annotation in a learned, and generally very useful and impartial edition of the Greek Testament*:

"*Ver. 8. Moses,—i.e., not God; so that it is, as Jerome says, a consilium hominis, not imperium Dei.*"

This means that Christ used the word "Moses" here with an emphasis, in contradistinction to "God"; intending to imply that this law in Deuteronomy was given, not by the authority of the Lord Jehovah, but only on the personal responsibility of Moses himself. This is not a light suggestion to make. It is a very serious matter to

* The Greek Testament, with English Notes, Critical, etc. By the Rev. S. T. Bloomfield, D.D. Fourth Edition. 1841.

determine whether any given words are the words of man, and man alone, or the words of God Almighty. I venture to say then, first, that in this passage, as it stands in St. Matthew's Gospel, there is no substantial ground for attributing this special emphasis to the name of Moses, in the words of our Lord. His reply, so far as this point is concerned, meets the question asked in the most simple and natural manner possible: "Why did Moses command . . . ? Moses, for the hardness of your hearts, suffered you . . ." In St. Mark's narrative, any such idea disappears even more completely. There it is said that Jesus himself asked them, "What did Moses command you?"

But furthermore any such exposition as this would very seriously affect the character and authority of the whole Book of Deuteronomy, and indeed of the Bible generally. The Bible is to be read, no doubt, in a rational manner, with the use of our own common sense: and there are many places, especially in Deuteronomy, where Moses simply recounts to the Israelites some of the events which had happened within their own knowledge; and his words in these places, requiring no supernatural revelation to inspire them, may be taken simply as the words of Moses, not necessarily the words of God. But the passage in question is not one of this character. It is a special enactment, lying in the midst of a body of laws, which must stand or fall together. Either we must receive them all as given by Divine authority, or else none of them can claim that high prerogative. It is true that in these particular chapters of Deuteronomy, we do not meet with that phrase which is so frequently repeated in the other Books of Moses, "The Lord spake unto Moses, saying, etc." But still, this point I think will be universally admitted, that we cannot isolate a passage like this from all its surrounding sections, and say that *this* is a precept dictated by the authority of Moses himself only; still less, that it is one which is con-

trary to the Divine Will, which God Himself repudiates. We cannot do this at least without some evidence of a much weightier kind than is found in the suggestion above quoted : and we cannot but think that if our Lord had intended to make such an important distinction, he would have expressed his meaning in language much more plain and explicit.

In the absence then of any sufficient proof to the contrary from the New Testament, there seems no alternative but to accept this part of the Mosaic Law as given by Divine authority, as much as any other part of the Book of Deuteronomy ; as much, for instance, as the eighth chapter of that Book, in which it is written that "Man doth not live by bread only, but by every word that proceedeth out of the mouth of the Lord."

(3.) Such then being apparently the undeniable authority of the precept, what explanation does Christ give of its existence in the Law of Moses ? "For the hardness of your hearts, he says, he wrote you this precept." This expression is one that we frequently meet with in the Bible, both in the Old Testament and the New. Its general meaning seems intelligible enough ; but perhaps it is not easy to assign any special meaning to it in this particular passage. Theophylact, (quoted by Bloomfield, as above,) says, "The sum of Christ's words is this : Moses wisely restrained by civil regulations your licentiousness, and permitted divorce only under certain conditions, because of your brutality, lest you should perpetrate something worse, namely, make away with them by sword or poison." So also Jerome, (quoted by Wordsworth, *in loco*,) "He permitted divorce to avoid homicide." This is indeed to bring a heavy charge of barbarity against the Jewish nation. For if divorce itself be, as these writers hold, such a grievous violation of God's Marriage Law, what must have been the amount of murder, or murderous tendencies among them which would justify such a remedy !

However, as our Lord has not thought fit to specify any particular crimes in this sentence, we shall not stop here to indulge in conjectures. One point at least is clear in his declaration. The permission of divorce was conceded not on the ground of any fundamental principle by which the marriage itself might be said to be vitiated or annulled; as in the case of adultery, which he specifies in the next verse; but it was allowed on some grounds of expediency; simply to avoid some other evil that would have been greater.

(4.) Again, he says, "on account of *your* hardness of heart." As Jesus was speaking to Jews about a precept in their own law, this word "your" seems quite natural. But did he mean that there was some special hardness or perversity in the Jewish nation, beyond all other nations of the world, which required this exceptional licence? This also perhaps must be left an open question: though it does not seem at all necessary to give such an exclusive meaning to the words of Christ. And inasmuch as all the world has shared with the Jews, more or less, that corruption and hardness of heart which has come upon the human race "since the beginning," it would seem not unreasonable to suppose that a similar relaxation, under proper conditions, might be equally expedient for other nations also.

(5.) Our Lord, according to St. Matthew's narrative, repeats the observation, "But from the beginning, it was not so." These words, while they state positively that the Mosaic precept was a departure from the original practice, may be understood at the same time to point to that original practice as being the best. They may be taken, therefore,—not as a legal command, for Christ was not here speaking as a Lawgiver,—but as a moral exhortation, to keep that primary law in view, to follow as far as possible that rule, and that condition of life which prevailed in Paradise, when the bond of Marriage was indissoluble.

v. This, according to St. Mark's account, appears to have

been all that our Lord said to the Pharisees in reply to their enquiries ; the remainder of this discourse being addressed to his disciples, when they asked him again of the matter, in the house. To them he said further, "Whosoever shall put away his wife, (except it be for fornication,) and shall marry another, committeth adultery." This sentence, as we pointed out in our last chapter, contains two distinct conditions, and one result ; and we have seen that we cannot properly attribute this result to either of these conditions separately, but only to the two combined. That is to say, neither polygamy nor divorce, occurring singly, are condemned by this dictum, but only polygamy following upon divorce. When a man puts away his wife, (without the one sufficient cause,) and thereupon marries another,—there being, as we may perhaps fairly understand the passage, a connexion between the two acts,—then he is guilty of adultery against her.

This then does not give us any positive judgment on the question of divorce alone. But that point was dealt with on another, and apparently previous occasion, namely, in that discourse which was addressed to the multitudes in the hill country of Galilee, commonly called the Sermon on the Mount.

vi. *Matt.* v. 31-32. "It hath been said, Whosoever will put away his wife, let him give her a writing of divorcement.

"But I say unto you, That whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery."

(1.) Here again we have evidently a reference to that 24th chapter of Deuteronomy ; but no reference to Genesis. Nor is divorce here condemned as a matter of principle, so much as on account of the practical mischief which it is likely to produce : "he causeth her to commit adultery." If the woman so put away should marry another man, her

former husband being still alive, she would then commit adultery: but the guilt and responsibility of this deed would rest mainly, if not entirely, upon the head of her husband who put her away without a justifying cause. This is evidently a matter of great practical importance. The social condition of the woman being by nature not so independent as that of the man, the wife who is thus cast out of her lawful home must generally be driven to seek another: and in many cases, especially when she has been carried far away from her own relations and friends, she may almost be compelled to become the wife of another man; or perhaps to choose between this alternative and a life of shame. And if, happily, in our own civilized country, there would generally be some means of escape from these alternatives, (though perhaps not always even here), yet we may well believe that in other lands, and in other times, the difficulty would be very real and pressing. It is well then that in such cases it should be clearly understood *who* it is that must answer for the evil which results,—the husband who wrongly puts her away.

And even if the wife thus wrongly divorced does not subsequently intermarry with another man, still, it may be, her own husband is not less censurable in God's sight, if he exposes her to the risk of doing so. But this point, not being precisely included in our Lord's words, must perhaps be left in some degree undecided; or settled if possible on general principles, drawn from other parts of Scripture.

(2.) But we observe that Christ makes one exception which releases the husband from this responsibility:—"Except it be for fornication;" that is, when the woman herself has violated her duty by adultery with some stranger. This exception appears to be made by our Lord on his own personal authority: it is not mentioned in the original institution of marriage, nor is it specified among the laws of Moses: unless indeed we are to understand the words,

of Christ as putting this interpretation upon the law of Deuteronomy about which the Jews were disputing. This, however, seems hardly probable, or consistent with the context. "*It hath been said, Whosoever will put away his wife, let him give her a writing of divorcement. But I say unto you, That whosoever, etc.*" There is an antithesis here,—“But I say unto you,”—which seems rather to show that Christ was now enunciating a principle which was to supersede the law previously given ; which, at least, if it did not formally abolish that law, was intended to point out an important caution in the application of it.

(3.) That the one exception here mentioned by him was a valid reason for divorce, none probably will dispute. But was this the only valid reason ? If a wife was guilty of the crime of murder, would not that also be a valid reason ? If she was guilty of idolatry, or enticing to idolatry, would not that reason also be valid ? “If thy brother,..... or the wife of thy bosom,..... entice thee secretly, saying, Let us go and serve other gods,..... thou shalt not consent unto him, neither shall thine eye pity him,... : but thou shalt surely kill him.” (*Deut. xiii. 6-11.*) Death itself then being the punishment awarded in these cases, it was not necessary, (some will say,) to specify them as grounds for divorce. But death was also the punishment of adultery : “the adulterer and the adulteress shall surely be put to death.” (*Lev. xx. 10, and Deut. xxii. 22.*) This point therefore appears to be still unexplained, why the crime of adultery alone should be specified as a valid ground of divorce. And in fact this brings us back to the question of the Pharisees, which was virtually this, *For what causes* is it lawful for a man to put away his wife ? This question, as we have said, apart from any controversy or casuistry of the Schools, seems certainly one of serious and practical importance : but to this question, it appears our Lord did not give an explicit answer. Or, if any persons take exception to

this remark, and say that his reply does give a complete or sufficient answer to the question proposed, will they show how it applies to particular cases, such as we have named? It is lawful, he admitted, to put away one's wife on the ground of adultery: is it lawful also on the ground of murder? of idolatry? of any other crimes?

VII. This question, I say, returns again upon us, and must return again and again, until some sufficient answer is found for it. Great as may be the evils of unjust and capricious divorce, still there are other circumstances besides adultery which seem to make the marriage bond intolerable, and total separation or divorce justifiable. And these are found on both sides of the household.

(1.) Husbands are sometimes guilty of cruelty, not merely cruel neglect and tyranny, but absolute brutality, such as strikes one with horror; insane, drunken, violence; ill-usage, habitual, long-continued, without hope of amendment; and sometimes even with a scarcely-concealed intention,—nay, downright, repeated, threats,—of hastening the death of their victim. What should a suffering wife do in such a case? Thousands no doubt, have borne their fate with patience, even to the bitter end; and have at length surrendered their lives in a martyrdom not less painful, not less noble, than any others recorded in history; a martyrdom, too, that like all other faithful and genuine self-devotion, could not do otherwise than leave good fruit behind it. Such conduct we may hold up for admiration, even perhaps for imitation. But it is one thing to praise such a course when it is voluntarily endured; it is another thing to *force* it upon any man or woman against their own will. And therefore our question should rather be,—What should a wife *be at liberty to do* under such circumstances? How far are *we* justified in compelling her to bear such cruelty? What judgment does the Christian Church, speaking by its appointed Rulers, pronounce in such a case?

The Law of England, that is, the Civil Law, of late years has stepped in to grant her the protection of a "judicial separation:" she may at least fly out of the reach of her husband's fists: and she may keep what money she can earn by her own labour for the support of herself and her children. And if adultery, (including therein polygamy,) is also proved against the husband, this, being coupled with cruelty or desertion, entitles the wife now to a complete divorce or dissolution of marriage. These enactments have been extorted from the Legislature by the stern logic of facts: and most persons amongst us probably are satisfied that they are in true keeping with the spirit of Christianity. But are they in strict accordance with its letter? For many centuries, it was thought otherwise.

(2.) Then again, there is the other side. Wives also may be guilty of cruelty and even murder, as well as husbands. There have been other Medeas,—slayers of their own children,—besides her of Colchis; and many perhaps with much less claim to sympathy than the wife of Jason. But the complaint against the wife is not generally on the ground of cruelty. They, if the weaker sex, have their faults, which are sometimes not easily borne with. I shall not however be tempted here to dwell upon the various complaints which have been made, or which may be made by the "lords of creation" on this subject; and which, apart from actual unfaithfulness, might be thought to entitle them to some relief, if there were any virtue left in that disputed Law of Moses. It is enough to say that God has ordained a law that the husband shall rule over his wife, and that the wife's duty is to obey: a law which is abundantly declared in the pages of the Bible; and which also, independently of the Bible, has been received universally among all nations of mankind: a law, which we may say is obviously necessary for the peace and order of every household,—in which there

cannot be two masters supreme. But if the wife rebels against this law, and will not submit: if she does this not merely in little things which may be borne with and forgiven, but in matters of the most serious importance, matters which concern the moral welfare of the children and of the household generally: if, in short, instead of reverencing her husband, she sets him at defiance, and plainly refuses to submit, what is he to do? He must not use coercion or violence to her: for this, the law would now punish him. He must not chain her up in a room, as one unfortunate man did, not very long ago, to keep his wife from the irresistible temptation of "drink": what is he to do, if she has any fault, or if she has *every* fault, other than the one specified exception of adultery? The letter of the law, as interpreted by B., and perhaps many others with him, says, "Christianity does expressly forbid temporary or other than lifelong connexion between the sexes. On this point our Lord's words, (*Matt.* xix. 5-9,) are conclusive." He makes no reservation whatever, (Christ's one exception being of course understood). If this be so *absolutely*, may we not say with the disciples, It is not good to marry?

Here then is another serious difficulty in this matter. Are we to take this law absolutely, as we find it, (or at least as it is presented to us by these high authorities,) and say that no fault, no crime whatever, "saving only the cause of fornication," not even murder nor idolatry, will justify the separation of man and wife? Or may we venture to modify this written law, and make some further exceptions on our own judgment and responsibility? And then, if once we begin to use our own discretion in the matter, where are we to stop? We have quitted *terra firma*, and cast ourselves upon a very wide sea of difficulty and perplexity.

viii. We have however one other passage in the New

Testament, which may give us some further guidance,—a passage which refers directly to this question of divorce or separation, namely, in St. Paul's First Epistle to the Corinthians, the 7th chapter, to which we have already made some reference in connexion with the subject of Polygamy.

On the subject of separation, he writes as follows,—and this apparently in reply to some enquiries from the Corinthians themselves.

- 1 Cor. vii. 10. "Unto the married I command, yet not I,
 11. but the Lord, Let not the wife depart from her husband : But
 and if she depart, let her remain unmarried, or be reconciled to
 her husband. And let not the husband put away his wife.
 12. But to the rest speak I, not the Lord.
 If any brother hath a wife that believeth not, and she be pleased
 13. to dwell with him, let him not put her away : And the woman
 which hath an husband that believeth not, and if he be pleased
 to dwell with her, let her not leave him.
 14. For the unbelieving husband is sanctified by the wife, and the
 unbelieving wife is sanctified by the husband : Else were your
 children unclean ; but now are they holy.
 15. But if the unbelieving depart, let him depart. A brother or
 16. a sister is not under bondage in such cases. But God hath
 called us to peace. For what knowest thou, O wife, whether
 thou shalt save thy husband ? Or how knowest thou, O man,
 whether thou shalt save thy wife ?

The first two verses of the above passage appear to apply to those cases where both the husband and wife are believers, members of the Christian community. The latter verses are directed to the case of a mixed marriage, where one is a Christian, the other an unbeliever.

(1) First, he says, Unto the married I command, yet not I, but the Lord, Let not the wife depart from her husband. Here again, we have the same general rule which prevails throughout the Bible; the wife is not to forsake her husband. This is the *general* rule; yet not absolutely without exception : "but and if she depart, let her remain unmarried, or be reconciled to her husband." This

evidently supposes that such a thing may happen sometimes, and may be allowed or excused. But in such a case she is not free to marry again : the only permission implied in the Apostle's words is that of personal separation, separation "a mensa et thoro," but not a dissolution of marriage : a reconciliation with her husband is what he evidently contemplates as possible and most desirable. This judgment of St. Paul's, then, to some extent meets the first part of that difficulty mentioned in our last section : it clearly allows the wife to separate from her husband's roof in some special cases, and justifies the "judicial separation" which by the Statute Law of England is now placed within reach of all classes of the community. The only point left doubtful in the Apostle's directions is as to the particular circumstances which will excuse or justify a wife in thus departing from her husband. We may reasonably suppose that he does not contemplate such a thing except in case of some urgent necessity. At the same time it is to be observed that both parties are here supposed to be "believers" : and therefore perhaps the cause of separation might be something which would not necessarily cut off either of them from the privileges of Church membership.

(2) He says also, Let not the husband put away his wife. Here again as we have said above, we may assume, as a matter of course, the one exception stated by our Lord to be understood : its omission in this place being simply due to that brevity of diction which is characteristic of the Sacred Writers generally.

That this precept also, (with that one exception included,) is to be taken as a *general rule* for Christians, seems plain enough. But the question that may fairly be asked here is, whether it is a *general rule* and nothing more, admitting like most other general rules of some exceptions ; or whether it is an *absolute law*, admitting of no relaxation or variation whatever. Considering the exceptions to this

law which had been sanctioned, both by example and by precept, among the Jews formerly, we may at least say that the Apostle's words are hardly so full and forcible as might have been expected, if he had intended altogether to override and set aside those previous examples.

IX. (1.) But he proceeds to determine the case of a Christian husband or wife married to a partner who is an unbeliever. In such cases, if the unbelieving be pleased to dwell with the other, there is no necessity for separation : the unbelief on one side does not invalidate the bond of marriage, nor yet unsanctify the Christian husband or wife : on the contrary, the holiness of the Christian rather has the effect of sanctifying the unbelieving partner. The precise meaning or force of this 14th verse is a matter upon which the Commentators are not quite agreed. If sanctification or holiness is merely a matter of form, a thing which can be produced by going through a mere formal Service, as for instance by the mere act of a Clergyman's reading through the office of Baptism, then indeed we may fail to see how an unbelieving husband can be sanctified by union with a believing wife, or *vice versâ*. But if sanctification in the Apostle's mind meant something of very much more life and energy than this, a real power and indwelling of the Holy Ghost ; and if there is any substantial truth in that great mystery of which he elsewhere speaks so forcibly, the conjugal unity of husband and wife ; then the effect here stated is perhaps not altogether unintelligible ; and is indeed analogous to that which was so often witnessed, when the sick, even the lepers, were brought near to the person of the Saviour : the current of infection was reversed, overpowered by the stronger current of life and health flowing from the Son of God ; "and as many as *touched Him* were made perfectly whole."

(2.) But it may happen also, and that not rarely, that the

unbelieving husband or wife does not desire to live with his Christian partner, and so departs from her. What is the Christian to do in this case? "If the unbelieving depart, let him depart: a brother or a sister is not under bondage in such cases." This direction is evidently not intended to interfere with any desire that the one may have from personal affection to bring the other back; but simply means, Do not force him by law or other compulsion, to live with you: so far as your Christian duty is concerned, you are *not bound* to live with him. The meaning of this latter clause is another point upon which material differences of opinion are found amongst eminent expositors. Some hold that in the case here supposed, the marriage is so far dissolved that "if the wife desert her husband, he may contract a second marriage." This opinion is expressed by Bishop Wordsworth; and even Romish authorities are also quoted to the same effect. Among other reasons which may be given for this view is this consideration. If a wife departs from her husband's roof without his permission, be it for a month, a week, or even a single day, not only does she cast off her allegiance to him, but she also exposes herself to the suspicion or imputation of adultery. What security has he that she does not commit this offence, when she is no longer under his cognisance and control? Of late years, our Law Courts have made us acquainted with a strange system of espionage, a machinery of "private detectives," whereby husbands and wives, doubtful of their partners' fidelity, seek to establish the damning evidence, to the satisfaction of a jury; and unless such evidence approaches nearly to "the very act," the guilt will not be presumed. As a general rule in criminal accusations, this principle is of course only just and safe. But in this particular case, can we suppose that either Christ himself or his Apostle intended to impose upon the husband the necessity of this process? Was such a system ever known

or thought of in those days? Or how can it be adopted by any persons but those who are comparatively rich?

On the whole, we must think that if a wife deserts her husband's home and authority, even for a brief period, the presumption is against her : and unless she can justify her absence, the husband cannot rightly be compelled to take her back as his wife ; nor in fact to be any longer bound by his marriage ties to her.

We must observe also that whatever be the Apostle's intention in the words here referred to, he extends the same liberty to either sex : "a brother or a sister is not under bondage in such cases."

(3.) "But God hath called us to peace, (or, in peace.)" This also is a phrase of doubtful import. That we are to seek peace with all men, that we should especially endeavour, as far as possible, to live in peace at home, are obvious truisms : the question here rather is whether St. Paul is simply urging the Christian to do all that is possible to retain his unbelieving partner, in peace and union, and with a hope of effecting her salvation : or whether he gives that permission to separate, *for the sake of peace*, when peace apparently cannot be had otherwise. Many persons, we know, especially members of the same family, can live peaceably and charitably towards each other, when separated by a little distance : while yet, under the same roof, peace seems impossible between them. Practically, no doubt, in the manifold trials, conflicts and collisions of actual life, it must often be a matter of serious perplexity to the Christian husband or wife, anxious to do only what is right, to know what course he ought to pursue in circumstances of this kind, where a separation is either threatened and imminent, or has actually taken place. "Bear and forbear," is the maxim which every moralist will urge. But how far? What are the limits?—It is a question which no definite rule of Scripture does answer, or could answer,

for every case. It must be left to the conscience and the strength of the individual; sometimes, it may be, with the help and advice of faithful friends: more often perhaps with no other help than that which may be obtained from above. We can only repeat here the words of this great Apostle,—earnest, practical, and not unreasonable words; —(Rom. xii. 18.) “*If it be possible, as much as lieth in you, live peaceably with all men.*”—“But, if the unbelieving depart,—if he is determined not to live peaceably with you, —let him depart. A brother or a sister is not under bondage, is not a slave, in such cases.”

x. There is one other point to notice in connexion with these directions and recommendations of St. Paul. The latter verses of this passage are directed, as we have seen, to those cases where a Christian husband or wife is married to a partner who is an unbeliever, not a recognised member of the Christian Church. And it may be asked, Do these rules apply at all to cases among ourselves where both parties are professed Christians? Some Commentators appear to think not. Shade of Saint Paul! If he could only, like Samuel, revisit this earth, and see the exquisite, the scrupulous distinction made between a Christian “brother or sister,” and “an unbeliever,” in this refined, civilized and Christian realm of England!—St. Paul wrote for a Church and an age in which the principles of “Church Discipline” were known and observed; a fact which is testified in this same Epistle. How his language is to be translated, or “modified” to suit the conditions of the English Church in the present day, is more than I will venture to suggest.

There is indeed another alternative. The conditions of the English Church *might* be modified to suit the language of St. Paul. We could then more easily or more clearly recognise the distinctions which he here refers to. But I’m afraid this plan will be generally voted impracticable,—visionary.

CHAPTER XII.

RELATIVE DUTIES OF HUSBAND AND WIFE.

THERE are no other passages in the New Testament directly referring to the question of Divorce : there are however several places where a subject of much importance is spoken of, and one that has a material connexion with this question ; those namely which describe the mutual relations and duties of husband and wife. If it is God's intention that man and wife should live together all their lives, either absolutely so, or at any rate with very few exceptions, then it evidently becomes a matter of immediate importance to see on what terms this union is to be maintained, according to the will and design of the Creator.

We had occasion to touch briefly upon this point in the course of our last chapter ; but the subject on many accounts requires fuller examination.

The Church of England, with great wisdom and faithfulness, has appended to her Marriage Service a brief address, very plainly setting forth the principal declarations of Scripture on this subject : and these passages therefore *ought* to be more or less familiar to all those at least who have been joined together in holy matrimony by the authority and the rites of this Church. Unhappily, there is much reason to fear that these words of Holy Writ are not so well known as they ought to be, or even as might be expected. The Parochial Clergy of past generations,—and perhaps those also of the present, if not so generally, yet to a large extent,—have taken the liberty of cutting out this Marriage Homily ; so that probably thousands of people now living, and who have been married in Church, have never heard it read on

that occasion : and even when it is read, the thoughts of many persons in the assembled company are perhaps often too much running upon other matters to pay much heed to it. As it is possible therefore that these present pages may fall into the hands of some who are not sufficiently acquainted with those important exhortations, it will not be a waste of time to reproduce them here in full : and certainly those who do know and appreciate them will not grudge the few minutes thus occupied.

1. Following the Church's example, we begin with the duties of husbands towards their wives.

(1.) The first, and also the fullest exhortation that we meet with on this point is in St. Paul's Epistle to the Ephesians, (*Ephes. v. 25-33.*)

"Husbands, love your wives, even as Christ also loved the Church, and gave himself for it, that he might sanctify and cleanse it with the washing of water by the Word ; that he might present it to himself, a glorious Church, not having spot, or wrinkle, or any such thing ; but that it should be holy and without blemish. So ought men to love their wives, as their own bodies. He that loveth his wife, loveth himself : for no man ever yet hated his own flesh, but nourisheth and cherisheth it, even as the Lord the Church, for we are members of his body, —of his flesh and of his bones. For this cause shall a man leave his father and mother, and shall be joined unto his wife ; and they two shall be one flesh. This is a great mystery : but I speak concerning Christ and the Church. Nevertheless, let every one of you in particular so love his wife, even as himself."

(2.) Again, to the Colossians, he says, (iii. 19.)

"Husbands, love your wives, and be not bitter against them."

(3.) St. Peter, who was himself a married man, saith, (*1 Pet. iii. 7.*)

"Likewise, ye husbands, dwell with your wives according to knowledge, giving honour unto the wife, as unto the weaker vessel, and as being heirs together of the grace of life, that your prayers be not hindered."

In these passages it is plain that the Sacred Writers had

no intention of dealing with the subject at full length ; otherwise they would have spoken of the protection, maintenance, and other duties which the husband owes to his wife. These matters may be taken for granted as being generally understood and acknowledged : and we should hardly think it necessary to say more upon them in this place, were it not that instances are sometimes found in which these duties are palpably neglected and ignored. For instance, the duty of maintaining the family, which by the law of nature, as well as the law of the land, is laid upon the husband, is too often, among the working classes at least, thrown over upon the wife. The mother of a young family, whose whole time perhaps is required for the care of her children, is found leaving them at home to look after one another, while she goes out to work from morning till night ; sometimes it may be because the father cannot earn enough to keep the family from want ; sometimes also because he is only too glad to let his wife do the work, and keep him in comparative idleness.

These and many similar points, however, we must not stop to dwell upon here, simply because our business now is not so much to preach a sermon upon Marriage, as to enquire into certain principles on which that relation is founded.

Of the duties laid down for husbands, then, in the foregoing extracts from Scripture, we shall only observe now that they are summed up chiefly in that one commandment of "Love ;" to which is added, a considerate regard for the wife, as being the "weaker vessel." Love, true personal affection,—just as in the wider sense of "Charity" towards all men,—this no doubt is above all other obligations, and practically includes all others. The obligation indeed is one about which there is no doubt or dispute, among Christian nations, at least ; but yet it must be confessed, its essential, indispensable, importance is a truth

which seems to be realized but in few cases. If this were more thoroughly understood ; if it were impressed upon the mind of every man before he entered into the married state,—or rather perhaps, before he engaged himself in this direction,—“ You *must love* your wife ; there is no peace, no happiness, no safety without it ;” it would make him more careful as to what sort of partner he chose ; nor should we hear of so many cases where *money* or other similar considerations formed the chief inducement to marriage. And then also the necessity for divorce or separation would not so often be found occurring.

The duties and obligations incurred by a woman in the married state, as we shall presently see, are of a very serious, and very onerous nature. There is one thing, under God’s help, which may enable her to bear them ; one thing which we know does strengthen many a woman to bear them cheerfully, willingly, with unspeakable self-devotion ; but without which her life must generally be a blank. That one thing is her husband’s love.

II. The passages of Scripture which define the position and duties of a wife towards her husband are considerably more numerous than those on the other side ; and there are some others, besides those quoted in the Prayer Book, which we may here properly refer to.

(1.) First we have the sentence pronounced upon Eve, which appears to be the foundation of all other declarations on this subject ; (*Genesis* iii. 16.)

“ Unto the woman He said, I will greatly multiply thy sorrow and thy conception ; in sorrow thou shalt bring forth children ; and thy desire shall be to thy husband ; and he shall rule over thee.”

(2.) In the Mosaic Law, this subjection of the wife is shown in the important matter of her religious vows ; (*Numb.* xxx. 6–15.)

"Every vow and every binding oath to afflict her soul; her husband may establish it, or her husband may make it void."

(3.) Writing to the Corinthians on the subject of the dress of women in the congregation, St. Paul says, (*1 Cor.* xi. 3-12.)

"But I would have you to know that the head of every man is Christ, and the head of the woman is the man; and the head of Christ is God..... For a man indeed ought not to cover his head, forasmuch as he is the image and glory of God: but the woman is the glory of the man. For the man is not of the woman, but the woman of the man; neither was the man created for the woman, but the woman for the man, etc."

(4.) Again, in the same Epistle, (xiv. 34, 35.)

"Let your women keep silence in the Churches: for it is not permitted unto them to speak; but they are commanded to be under obedience, as also saith the Law. And if they will learn anything, let them ask their husbands at home: for it is a shame for women to speak in the Church."

(5.) Similarly to the Ephesians he saith, (*Ephes.* v. 22-24.)

"Wives, submit yourselves unto your own husbands, as unto the Lord: for the husband is the head of the wife, even as Christ is the head of the Church: and he is the Saviour of the body. Therefore, as the Church is subject unto Christ, so let the wives be to their own husbands in everything."

And again he saith, (*ver.* 33.)

"Let the wife see that she reverence her husband."

(6.) So also to the Colossians, (iii. 18.)

"Wives, submit yourselves unto your own husbands, as it is fit in the Lord."

(7.) To Timothy he writes, (*1 Tim.* ii. 12.)

"Let the woman learn in silence with all subjection. But I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence. For Adam was first formed, then Eve. And

Adam was not deceived ; but the woman, being deceived, was in the transgression."

(8.) To Titus, speaking of the duties of the elder women.
(*Tit.* ii. 4.)

"That they may teach the young women to be sober, to love their husbands, to love their children, to be discreet, chaste, keepers at home, good, obedient to their own husbands."

(9.) And lastly we have the directions of St. Peter, in the same chapter before quoted ; (1 *Pet.* iii. 1-6.)

"Likewise, ye wives, be in subjection to your own husbands ; that if any obey not the word, they also may without the word be won by the conversation of the wives ; while they behold your chaste conversation, coupled with fear. Whose adorning, let it not be that outward adorning of plaiting the hair, and of wearing of gold, or of putting on of apparel ; but let it be the hidden man of the heart, in that which is not corruptible, even the ornament of a meek and quiet spirit, which is in the sight of God of great price. For after this manner, in the old time, the holy women also, who trusted in God, adorned themselves, being in subjection unto their own husbands ; even as Sarah obeyed Abraham, calling him lord : whose daughters ye are, as long as ye do well, and are not afraid, with any amazement."

Such is the testimony of Scripture on this important matter. It is clear, unequivocal, and uniform without exception. It declares the dominion, or supreme authority of the husband, and the wife's duty of submission and obedience "in everything." This is a serious matter. Most people doubtless have an idea,—sometimes rather vague, perhaps, and not unfrequently treated more as a jest than a reality,—that the wife's duty is to obey, and that she makes a promise to this effect in the marriage ceremony. But few persons, I imagine, except those who have specially studied the subject, are aware of the positive and uncompromising terms in which this duty is laid down in Holy Scripture. Nor would any man venture to claim for

himself or his fellows,—in this age and country, at least,—such a *despotism* as is here assigned to the husband, on any authority less than that which is acknowledged to be divine.

Whether these conditions are just and reasonable ; whether they are expedient or desirable ; whether consistent with modern progress and civilization ; these are questions which I pass by on the present occasion. It is enough for us to know that these are the clear, unquestionable, statements of the Bible : and if the Bible is the Word of God, then these conditions are the Law of God. May we not well say it is a serious matter ? Serious for the woman who is placed in such a profound,—not to say *absolute*, state of subjection : not less serious for the man who accepts such wide authority ; for the use of which he will surely give an account hereafter. “ For unto whomsoever much is given, of him shall be much required.”

III. We find then these two important conditions attached to the institution of Marriage :—

(1.) “ Let not the husband put away his wife :”

(2.) “ Let the wives be subject to their own husbands in everything.”

These conditions may perhaps be considered as in some measure correlative to each other, balancing each other. At any rate, there they are : and we may at least expect that those persons who insist rigidly upon the observance of the first, will insist no less strictly upon the second. The former law, though it may fairly be taken as a general rule, we have seen to be not absolutely without exceptions. The latter has no exception whatever allowed in Scripture, either by precept or example. This is a matter which concerns the Ministers and Rulers of the Church : and we must ask, first, Are these principles taught and enforced in our pulpits as plainly and as frequently as their importance requires ? A certain amount of the reticence which generally seems to

prevail on this subject may no doubt be ascribed to feelings of delicacy ; and within due limits, this is certainly very proper and commendable ; especially considering the youthful character of many who are set forth to expound the deep and difficult questions of religion and morality in our pulpits. Nevertheless, such questions as these, deeply concerning as they do the domestic relations of husband and wife, the peace, order, and sanctity of home life, not merely as understood by the customs of society, but as prescribed by the written Law of God ; these are matters of too much importance to all classes to be left out altogether : nor are these laws and principles which we have found written in Scripture such as can be taken for granted as being generally known and appreciated without direct teaching. And if they are not generally understood so well as they might be, whose fault is it ?—That the faithful teaching of these laws would not be generally popular,—in many cases, very much the reverse,—is indeed not unlikely. But are we to suppose that those who stand up to preach the Word of God would be moved by such a consideration as this ? That some of the preachers themselves, in their private judgment, may not entirely approve of these principles, is also possible. But will *that*, again, restrain them from declaring what is so clearly written in their great Text Book ? Are they commissioned to preach their own opinions, their own Gospel, or that which is delivered in the Bible ?

This then is a point on which we look, first, for a clear declaration of the principles and laws of Scripture ; not indeed from every young Curate in the Church ; but at least from those who can speak with due weight and authority on a subject of this character.

iv. But beyond the mere preaching of them, what is to be done in the way of enforcing these principles ? In former days, they were recognised by the common law of

the land; and the husband was allowed to coerce and correct his wife, even to the extent of personal chastisement, apparently on the same grounds as a father his children.* That any such permission as this should now be revived by the Civil Power is not to be expected: nor, considering the mixed character of the population of these kingdoms, does it seem desirable. In any nation or community where the people were strongly influenced by a common religious faith, and restrained thereby from committing excesses in such a matter as this, it might be safe to entrust such a power, in a moderate degree, to the husband. But this is not the case with us now. We can no longer legislate for the whole nation as if they all belonged to the Established Church of the Country; nor can we attempt to impose upon the whole community the principles of a Book whose authority is disputed by a very large number; and the interpretation of which is disputed still more violently

* "The husband also by the old law might give his wife moderate correction. For as he is to answer for her misbehaviour, the law thought it reasonable to intrust him with this power of restraining her, by domestic chastisement, in the same moderation that a man is allowed to correct his apprentices or children; for whom the master or parent is also liable in some cases to answer. But this power of correction was confined within reasonable bounds, and the husband was prohibited from using any violence to his wife, *aliter quam ad virum ex causâ regiminis et castigationis uxoris suæ licitè et rationabiliter pertinet*. The Civil Law gave the husband the same, or a larger authority over his wife; allowing him, for some misdemeanours, *flagellis et fustibus acriter verberare uxorem*; for others, only *modicam castigationem adhibere*. But with us, in the politer reign of Charles the Second, this power of correction began to be doubted: and a wife may now have security of the peace against her husband; or, in return, a husband against his wife. Yet the lower rank of people, who were always fond of the old common law, still claim and exert their ancient privilege: and the Courts of Law will still permit a husband to restrain a wife of her liberty, in case of any gross misbehaviour."

among those who profess to acknowledge its authority. Moreover, the moral and personal character of the masses is not such as would justify the extension of those marital prerogatives at the present time. We may observe, however, that the law does still clearly recognise the principle of the husband's control, as is shown by the legal disabilities of the wife in many respects: even in the commission of some felonies and inferior crimes, the wife is held not responsible in point of law; the presumption being that she acts not of her own free will, but in obedience to her husband's authority.

v. While, therefore, we see that the State in general recognises this principle of the husband's dominion, in accordance with the Law of Nature, as universally understood among all nations, we must look to another authority to give effect to these laws, as specifically laid down in the accepted oracles of Christianity. That other authority is evidently the Church of Christ; which has received not only a commission to preach the truths of the Gospel, but also power to exercise spiritual jurisdiction over her own members. There are many offences of a moral character which the Civil Power does not, and could not attempt to take cognizance of: such as lying, hatred or malice, profane language and drunkenness, (when not involved in public disturbance,) and even fornication itself, which is not treated as an offence at common law. These things it is the province of the Church to deal with, so far as her own members are concerned, and to restrain by that authority which has been specially committed to her Ministers for this purpose; and for the exercise of which, our Church has given very stringent orders, and has made due provision, in her Canons and Rubrics. And in this class of offences it appears proper to include such breaches of Christian duty as we are now speaking of, cruelty and desertion by a husband, resistance by the wife,—that is to

say, when they are sufficiently grave to require external interference, but not serious enough to call in the arm of the law.

Unhappily, as we have intimated above, the condition of the English Church in respect to Spiritual Discipline at the present time is very anomalous and unsatisfactory. We must not say, perhaps, that this function is entirely dead or absent: but it is so much in abeyance that probably great numbers of people,—and those not uneducated people,—although professedly members of the Church, have never heard of it, have no idea what the words mean: and still more will think that any reference or appeal to such a practice is now altogether vain and visionary. On this subject, it seems a duty to speak strongly, not only on account of the matter which we are now discussing, but still more for the honour of the Church itself, which is so seriously compromised herein. The neglect of this duty is generally admitted, (by all who have any conception of the Church as a Constitutional Body,) to be one of the greatest faults,—many would say *sins*,—of our Church at the present time. But *sins of whom? Whose* business is it to see to this matter?—That there are many difficulties surrounding this subject, difficulties connected with the constitution of our Church as a National Establishment, difficulties in regard to our Ecclesiastical Courts, difficulties which have grown up in the course of long ages, and not more by the *neglect* than by the *abuse* of this power in former days: all this may be freely admitted. And how far this fact may exonerate the responsible authorities in this matter, it is not for us to judge. But at least we may ask this question, What is being done towards removing these difficulties, and restoring to our Church that function which is so essential a part of its original constitution* ;

* “The true Church is an universal congregation or fellowship of God’s faithful and elect people, built upon the foundation of the

and which every other religious Body or Church does in fact exercise, (well or ill,) within its own Communion? And we must further venture to say that the attempt to deal with any question strictly and directly involving the rights and privileges of Church Membership, while yet leaving out of sight the exercise of Church Discipline, appears simply absurd. It is the Play of Hamlet, with the part of Hamlet omitted.

In speaking of Church Discipline in reference to these domestic relations, it may be as well once more to disclaim emphatically any intention of introducing such external interference into family life, except upon the clearest necessity. It is very much better, no doubt, that the peace of a home should be maintained by good feelings, good sense, and forbearance springing from within, between its own members, when that is possible. But experience shows that this is not always possible. Besides the many cases which now are settled by appeal to the Law,—not in the Divorce Court only, but before inferior tribunals also, as in every Metropolitan Police Court,—besides these which are thus brought to the knowledge of the public, we cannot doubt that very many other cases also exist, in which domestic peace and happiness, and perhaps all the Christian duties owing between man and wife, are lost, abandoned in despair. In such cases, when both parties, or one at the least, still have a desire to continue in the fellowship and privileges of the Church of Christ, and to do as far as possible only what is right, and to be at peace; in such cases, can it be doubted that the wise and faithful and

Apostles and Prophets, Jesus Christ himself being the head cornerstone. And it hath always three notes or marks, whereby it is known: pure and sound doctrine; the sacraments ministered according to Christ's holy institution; and the right use of Ecclesiastical Discipline." —The Second Book of Homilies, No. 16. (Second Part.)

paternal exercise of the Church's authority would have a salutary effect; that it would often cure the evils to which it was applied in a much more healing manner than letting them run on unheeded, or even than the public appeal to the law? But even if it did not heal the sore and produce reconciliation, it would at least have the effect of putting things on their right footing, as far as religious hopes and privileges were concerned. If either the husband or the wife persisted in their frowardness, and refused in fact to acknowledge the obligations which the Law of Christ imposed upon them, they would at length be formally excluded from communion with the Church, and take their place outside her pale, either as unbelievers, or possibly in connexion with some other sect which might be willing to receive them. At the same time, the one who remained faithful would be free to use that liberty which the Apostle allows :—" If the unbelieving depart, let him depart : a brother or a sister is not under bondage in such cases."

Without going further then, into detail on this confessedly difficult subject, we may at least say that if there is such a thing as Church Communion and Discipline instituted in the writings of the New Testament, and embodied in the Constitution of our own Church, we are entitled to expect that some beneficial result would ensue from its proper exercise. And further, with regard to the particular point which has led us to this topic, the relative duties of husband and wife, that we cannot properly enforce one condition of the covenant, without at the same time enforcing others which are insisted upon with equal cogency in Scripture : we cannot compel either a husband or a wife to continue under the bond of marriage, unless we also insist, both by preaching and by authority, upon the obedience and the love which the Law of God entitles them to claim from one another, in that holy estate.

CHAPTER XIII.

CONCUBINAGE.

It may appear perhaps to some readers that in the chapters immediately preceding, we have wandered to some extent from our professed subject of Concubinage, and have been dealing rather with points which concern Marriage in general. The fact is that we could not avoid touching those points, viz., polygamy, divorce, etc.; and to touch them at all without saying so much as we have said, would not have been satisfactory. The great importance of these matters, however, is the principal reason for which we have endeavoured to examine fully the testimony of Scripture concerning them: and on this ground we trust that none will grudge the time thus occupied. At the same time it will be found that in clearing up these matters as far as we could, we have really been clearing the ground for a determination of the question of concubinage itself, so far as this practice is affected by anything written in the New Testament.

I. As we have already observed, there is no direct reference to this practice in this part of the Sacred Volume: and therefore, as the practice had been distinctly allowed in the Older Dispensation, and sanctioned by such high examples as we have found recorded; and moreover, as there is no intimation of its discontinuance previous to the Christian Era; therefore, it must be admitted that the very absence of any direct condemnation under the Gospel, forms a strong argument in favour of its continued permission.

II. There is however one narrative in the Gospels which appears to describe a case of concubinage, although this particular term is not employed there. We may be allowed to

dwell upon it for a short time then with this understanding, namely that we do not profess to assert *positively* that the woman here mentioned was a concubine, only that this appears the *most probable* hypothesis.

The case that we refer to is that of the Woman of Samaria, described in the fourth chapter of St. John's Gospel. It is a narrative of much interest generally ; but we must here only dwell upon such points as seem to bear directly upon our present argument.

These points are chiefly two, viz.,

1. The question whether or not she was then living as a concubine ;

2. How far she was treated as a sinner by our Lord.

(1.) Jesus having spoken of the "living water" which he was able to bestow, "the woman saith unto him, Sir, give me this water that I thirst not, neither come hither to draw." (Ver. 15.) "Jesus saith unto her, Go, call thy husband, and come hither." These words are generally considered to have been spoken as a direct consequence of her request : though perhaps this is not altogether a certain or necessary inference from the mere fact of their juxtaposition. "The woman answered and said, I have no husband. Jesus said unto her, Thou hast well said I have no husband : for thou hast had five husbands ; and he whom thou now hast is not thy husband : in that saidst thou truly." From these words we are to determine, if possible, the woman's present condition.

(2.) First, we see that she was living with a man in some sort of conjugal or sexual relation ;—"he whom thou now hast."

This relation must have been either that of Marriage, (a) ; Concubinage, (b) ; Fornication, (c) ; or, Adultery, (d).

(a) Marriage, *i.e.*, in the full sense of the term, is excluded by the words, "I have no husband : . . . He is not thy husband."

(b.) As a concubine, it might be said of her, in the strict sense of the term, "he whom thou now hast is not thy husband;" especially in comparison with her former husbands, to whom she had clearly been lawfully married. On this hypothesis, according to our contention, there would be no sin necessarily connected with her condition in this respect.

(c. d.) It is possible also, so far as these words go, that she might be living in a state of fornication, or of adultery. In either of *these* cases, there is no doubt she would be living in sin.

(3.) The next important question therefore is, Was she treated as a sinner, by the Lord Jesus Christ?

First it is obvious to remark that there is not a word of direct reproof recorded against her in the whole of the history. And this again we must contrast with our Lord's words on other occasions, when he spoke plainly enough. Thus, *Mark* ii. 5. "Son, thy sins be forgiven thee." *Luke* vii. 37. "Her sins, which are many, are forgiven, etc." *John* v. 14. "Sin no more, lest a worse thing come unto thee." *John* viii. 11. "Go, and sin no more." Nothing of this sort is expressed in the case of the woman of Samaria; nothing implying repentance, or any special need of it, on her part.

But, say the Commentators, the words, Go, call thy husband, were intended to rouse her *conscience*.

This assumption is by no means necessary. Christ's immediate object, as we see by what follows, was to exhibit his knowledge of some of the most private and secret facts of her life, and hence to convince her that he was at least a great prophet, or even the Messiah himself. The word *husband* appears therefore simply directed to lead to this subject, on which he told her, (as she afterwards said,) all that ever she did in her life. The brief account here given by St. John, like all other narratives, is of course not

to be taken as including every word that was spoken on this occasion. It gives us the material substance, and the manner, and the result of the conversation. But it is quite reasonable to suppose that Jesus entered into other particulars of the woman's life, and especially some things, in connexion with her five husbands, which she thought were unknown to all the world but herself, unknown certainly to this stranger. Whether any of those matters were sinful or not, we cannot say : *secrets* are not always necessarily *sins* : and it is of course quite possible that the woman may have had even five husbands, without any crime. At any rate, we say, so far there is no plain or positive statement whatever, implying that Christ was here charging her with sin.

And all the rest of the narrative is very inconsistent with any such hypothesis.

His first words to her were, "Give me to drink." He here asked a personal favour of her, a fact of some importance : for though, no doubt, he *accepted* hospitality from many other persons during his sojourn in the flesh, hardly any other place is recorded where he *asked* such a direct, personal favour as this from any mortal man. If he was going to rebuke her for her sins, he would hardly begin by laying himself under a personal obligation to her. At least, that is not the usual course now-a-days.

As soon as she perceived his prophetic character, she at once sought for instruction from him as to the proper worship of God. Some Commentators have supposed that this was done by her merely to turn the conversation away from her own personal history. The answer of Jesus clearly refutes this idea. Instead of exposing her trick, as he surely would have done in that case, he replies directly and fully to her enquiry ; opening out to her deep, spiritual truths with a clearness hardly ever exceeded in the Gospel histories ; and including that great revelation, "I, that speak unto thee, am He,—the Messiah."

And lastly, we see her laudable anxiety to bring all her friends and neighbours to see Jesus, and to be satisfied for themselves,—Is not this the Christ? Surely, all this conversation, all this earnestness, and this faith, are not consistent with the assumption that this was a woman of depraved character, living at this very time in a state of prostitution, or even of adultery!

I see no reasonable alternative therefore but to conclude that she was then living as a *concubine*; and that, as a concubine, she was neither despised nor condemned by the Lord Jesus Christ.

III. But if there is no *direct* condemnation of this practice in the New Testament, is it in any way condemned *indirectly*, or found inconsistent with the principles of Christianity, especially with those declarations on the subject of marriage which we have discussed in the preceding Chapters?

(1.) First, in regard to Polygamy. As this practice in itself is clearly and confessedly not prohibited in the New Testament, it cannot be said that concubinage is disallowed on this ground, *i.e.* not even when a man has more concubines than one, or concubines in addition to a wife. He is limited, of course, by those laws of temperance and moderation of which we have before spoken; and the Christian is further bound by those duties of love and consideration towards his wife which are specially enjoined by the Gospel. But beyond these points, it cannot be said that there is any positive limitation or prohibition of concubines contained in the Writings of the New Testament, on the ground of polygamy.

(2.) But next, in regard to the question of separation. We have seen that the ties of concubinage in the Old Testament appear to have been less strict generally than those of marriage: and the question arises, how far is this principle affected by the declarations of the New? This is a point which to some persons, perhaps, will appear the most important of all in the discussion of this subject.

First then, as to the declarations of our Lord, as contained in *Matt.* xix. ; and which B. assumes to apply equally to wives and concubines, and to admit of no divorce or separation whatever, during life, ("saving only for the cause of fornication.")

Is it clear that Christ intended to include the case of concubines, in what he said either to the Pharisees, or to his disciples, on this occasion? The question of the Pharisees, we must remember, had a distinct reference to the law in Deuteronomy, which suffered a man for certain reasons to give his wife a bill of divorcement, and to put her away. The same reference is also apparent in *Matt.* v. 31. We have seen, however, on what appears to be good authority, that this provision of the Mosaic Law had nothing to do with concubines ; who could be dismissed without any formal divorce at all. This opinion rests not merely upon the personal authority of that writer from whom we have quoted it, (in Dr. Smith's Dictionary of the Bible ;) but upon the reasons there alleged, particularly the references to *Exodus* xxi. and *Deut.* xxi. (vide *supra*, *Ch.* VI. *c.*) If this were so, there would certainly not appear to be any direct or necessary connexion between the words of Christ on these occasions, and those Mosaic Laws concerning concubines. The point may be considered perhaps as in some degree doubtful ; but at least it cannot be affirmed positively that any such application was intended.

If those laws in Exodus and Deuteronomy, referring to Concubines, are not overruled by the words of Christ, it cannot be said, of course, that they are overruled merely by the force of the primary law in Genesis alone,—the later by the earlier. Both laws come to us, so far as we know, by the same hand, the hand of Moses ; and both derived from the same authority.

Then again, there is the case of Hagar ; which cannot be put aside as either irrelevant or unimportant. Will anyone

venture to apply to this case those words of Christ, "Who-soever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery"? And if not, on what other ground can it be excluded from that rule, except that she was a concubine, and as such, not bound to her husband by the same law as a wife?

These facts then, we must venture to repeat, seem to show that these two classes of wives did not stand upon the same footing, in regard to permanency, in the Old Testament; and therefore, that whatever our Lord said about the divorcement of *wives* cannot be extended, by mere inference, to the case of *concubines*.

iv. Nevertheless, although this strict assertion of B.'s, that "wives and concubines were all equally connected for life," appears to be scarcely supported by the testimony of Scripture, yet it would clearly be a grave mistake to lean too much to the other side, *i.e.* to make the connexion terminable at pleasure, without adequate reasons and precautions, whether on the side of the man or the woman. That a man incurs serious responsibilities towards the woman whom he takes to wife, whether it be as a wife or a concubine, is a truth which cannot be disputed, and must not be lost sight of. That he owes her the duty of love, kindness, and consideration, as well as those other obligations of maintenance and protection of which we have before spoken, will not be denied by any persons of right feeling, even though at the same time he does not confer upon her all the social rank and privileges belonging to the married wife. That the woman is also bound to yield obedience to her husband,* and to remain in conjugal fidelity to him,

* "Her husband,"—There appears to be no other word in common use to express the man's position in relation to a lawful concubine, except this of "husband." Is this a mere accident of the language? or, does it, like many other seeming anomalies really arise from "the fitness of things"?

seems certainly no less clear, according to all the laws of Scripture. And, whatever may be the case among other, non-Christian nations, where polygamy or concubinage are practised, if these things are to be done at all under the sanction of the Christian Religion, they must clearly be done in conformity with its general principles. If then there is any doubt here about applying those precepts of the Apostle, Let not the wife depart from her husband ; and let not the husband put away his wife ; it would at least be an error on the safe side, (if at all,) to require the same rule in both cases ; that is to say, that a Christian should not be allowed to dismiss a concubine on any grounds less than would justify the putting away a wife.

At any rate it is clear that there is nothing in any of these declarations of the New Testament, which can be said to abolish or forbid the system of concubinage altogether. The real question to be determined here is this : What are the conditions required by the Gospel in regard to permanency ? Are concubines to stand exactly on the same footing as wives ? Is the union to be strictly and necessarily lifelong ? Or what grounds of separation are allowable ?

Without pretending, then, to give a complete answer to these questions, which as we have before seen are not free from considerable difficulties, it is enough for us to say here that the Concubinage of which we speak, and which we are here defending, is only that which is sanctioned in the Bible itself, and limited by such conditions as may fairly be shown to be essential on that authority.

We may further say, however, that so long as the conjugal union is maintained, so long as the two live together in faithful concubinage, it does not appear that they can be amenable to censure on any grounds of Scripture ; especially if it be single concubinage, not polygamous. When the woman has deserted her husband, or when her husband has dis-

missed her, *without sufficient justification*, then it will be time for the arm of authority to intervene, and to visit the offence with such penalties as it may deserve, whether Ecclesiastical or Civil.

v. In those cases, however, where a separation cannot be avoided, there are one or two points to be noticed, in which our present laws do not seem to agree with the principles of Scripture, with reference to the subsequent position of the woman and her children.

(1.) First, as to the woman herself. Although the Old Testament laws in reference to concubines are not very explicit, yet they show that the rights of such persons, when dismissed by their husbands, were in some measure provided for : and on several accounts it would seem both just and necessary that in such a case the husband should be bound to make some provision for her maintenance except when she is dismissed on the ground of adultery proved against her. At the present time, our Law gives her no such claim in any degree, except on behalf of her children, when she has them left on her hands. But for herself personally, it gives her no claim at all, whatever may have been the grounds of separation. The reason of this is no doubt plain enough ; it is simply because the English Law at present does not recognize the system of concubinage, such as we are now speaking of : it knows of no intermediate condition between the full rights of marriage, and mere fornication ; or it deems the practice in any form to be immoral, *contra bonos mores*. That the *intention* of the English Law,—that is to say, of our Sovereigns and Lawgivers in past ages,—was to be in harmony with Scripture in this matter, we have no reason to doubt : although a candid examination of Scripture itself has led us to the conclusion that in point of fact, there is a serious difference between them. How this difference has

been produced, or in other words, how it has come to pass that concubinage, even in a permanent form, has been—not exactly prohibited,—but at least discountenanced by the laws of this Country, it would perhaps be not very difficult to explain ; we shall have occasion to say a few more words on this point, by-and-bye. But for the present, it is enough to say that if this condition were recognized not only as existing *de facto*, but also as being in itself morally allowable and defensible, the Law would then doubtless take care to secure to the woman, when separated from her husband, a reasonable maintenance, or alimony, on the same principle as is now done for a wife, under similar circumstances. The justice and expediency of such a provision, (when once the notion of immorality is abandoned,) seem too palpable to need further argument in this place.

(2.) Another important matter in which the English law differs from Scripture is in regard to the children. That some difference in point of rank or inheritance was generally made between the children of wives and those of concubines, is apparent in many places of sacred history : but yet, as it would seem, this distinction was not uniformly adhered to. Abraham, as we have seen, acting under the immediate directions of Almighty God, made Isaac the sole heir of his property ; and gave assistance, such as he thought necessary, in the way of immediate “ gifts ” to the sons of his concubines. But the twelve sons of Jacob, and their families, were all admitted to share in the paternal inheritance, and in the possession of the land of Canaan, on equal terms ; no distinction being made between them on account of their birth. Amalek, the son of the concubine Timna, ranks with his brethren, the dukes of Edom. On the other hand again, where the sons of wives are generally recorded by name in the family genealogies, the sons of concubines are not mentioned, except in a few special instances. But in all these cases, although there

may be a difference in the *social rank* enjoyed by the two classes, there is no imputation of *moral* reproach or dishonour upon those of inferior birth ; nor is the fact of their paternity denied, where it is not in itself doubtful. This of course is perfectly consistent with the fact that the concubines themselves were not judged to be immoral or dishonourable. The English Law is equally consistent in treating both mother and children alike,—treating them, that is to say, with dishonour ; any child here born without a full and formal marriage preceding is called “*nullius filius*,” “nobody’s son” ; and cannot legally be registered as the son of his true father, nor claim any paternal rights from him. This certainly does not agree with the Divine Record : “God said to Abraham, Of the son of the bondwoman also will I make a nation, *because he is thy seed.*”

(3.) In regard to the maintenance of such children, however, by Statutes made in recent times, especially during the present Reign of Victoria, the mother is able to claim from what the law calls “the putative father,” a small allowance, varying according to the discretion of the Magistrate, for each of her children, so long as they are of tender age, and under certain limitations and conditions. This applies indiscriminately to all children born out of wedlock, whether the offspring of settled concubinage, or of mere casual intercourse, provided only that the mother can swear to their paternity, to the satisfaction of the Magistrate. So long as due care is taken in regard to this last point, where the matter is doubtful or disputed, these provisions of the law seem clearly just and necessary.

(4.) There is however another point in connexion with this subject, in which the law is not so satisfactory. Where the paternity is not disputed on either side, there seems no sufficient reason for depriving the father of his natural right to take charge of his children, to educate and bring them

up as his own, when he desires to do so : excepting, of course, as in the case of legitimate children, when there is any manifest incompetency or unfitness on his part ; and with due consideration for infants of tender years. On this point an eminent legal authority says, of any child born out of wedlock, "The mother is entitled to its custody, (as it would seem,) in preference to its putative father ; and is bound to maintain it as part of her family while she remains unmarried, &c."* Whatever may be said about those born of fornication, there is at any rate no authority in Scripture for taking the children of a concubine away from their father's care, against his own will. The right and duty of a father to govern his children is a matter which our Law in general insists upon very strongly, as we have seen exemplified in some cases of late years. It is indeed a duty which most men will feel to be of the most primary importance. No duties that a man owes to any of his fellow-creatures can be more imperative than those which he owes to his own children. This therefore is a point on which, if our theory of concubinage has any substantial truth and justice to stand upon, there is evidently much need for some alteration of the law, as at present understood.

vi. And lastly, there is the case which not unfrequently happens, where the parents after living together for some time in a state of faithful concubinage, afterwards enter upon a legal marriage. The children who had been born before the marriage, are by the present state of the English Law still reckoned illegitimate. This, which is contrary both to the old Civil and Canon laws, seems also contrary to the principles of Scripture. There is not indeed in the Sacred History, any case clearly mentioned of such a thing being done, *i.e.*, of a concubine being raised to the position of a married wife. Such a proceeding was apparently never

* Serjeant Stephen's Commentaries on the Laws of England. Vol. II. Book III. Ch. 3.

thought necessary in those days, on the grounds of religion or morality. But as we have above observed, the children of concubines, even as such, were acknowledged by their own father : and their paternity at least, would therefore, we may suppose *à fortiori*, be acknowledged after a formal and lawful marriage.

The history of this question, as Coleridge observes in his notes upon Blackstone,* is somewhat curious. By the ancient Roman Canon Law, as formerly received in this country, children thus born before marriage, (called *prænati*,) were esteemed legitimate after the marriage of their parents : but this was not in accordance with the old common law of England. In the time of Henry III., therefore, this conflict of laws gave rise to a protest on the part of the Bishops ; who, in the Parliament of Merton, 1235, "all begged of the nobles that children born before marriage might be deemed legitimate, as well as those born after marriage : because the Church holds such to be legitimate."† But the nobles unanimously refused to alter the accepted laws of England in this matter. And Blackstone argues that the English practice is better than the Roman for several reasons ; chiefly because the English law affords a more definite rule of legitimacy, and more clearly provides for the custody of the child during infancy ; also that the Roman law opens a door to frauds, and tends to the discouragement of marriage.

No doubt it is important to secure protection for the infant : and therefore it may be very proper to accept as genuine and legitimate all children born *after marriage* ;

* See Blackstone's Commentaries, edited by the late Mr. Justice Coleridge. 1825. Book III., Ch. 22. Note.

† "Rogaverunt omnes episcopi magnates, ut consentirent quod nati ante matrimonium essent legitimi, sicut illi qui nati sunt post matrimonium ; quia Ecclesia tales habet pro legitimis. Et omnes comites et barones una voce responderunt quod nolunt leges Anglia mutare, quæ hucusque usitatae sunt et approbatae."

(except on sufficient proof to the contrary.) But the question here is as to those born *before marriage*.

Where the parties have been living otherwise than in true and acknowledged concubinage, especially where the woman has been guilty of promiscuous intercourse, there indeed there can be no certainty as to paternity, and no rights can justly be claimed for the issue.

But when there has been faithful concubinage, and no doubt about the paternity, or when the husband, after marriage, freely acknowledges this point, there seems no sufficient reason why the law also should not acknowledge the same : and at least allow the child to enjoy a right to his father's name, and to inherit some share of his personal property, even though it may not make him his natural and lawful heir to real estate and titles of honour.

Blackstone's arguments in this case appear chiefly directed to find a simple and general solution of a legal difficulty, an easy rule for determining *who are*, and *who are not* to be accounted legitimate in the eye of the law. But they rather lose sight of the fundamental question, the determination of the *actual fact*, who is the truly begotten child. This must be the primary question with every man, whether a certain child is, or is not, his own issue,—his own flesh and blood. If he is assured of this as a fact, he will properly love and regard him as such, and desire to provide for him ; and even to make him his heir, in preference to any more distant kindred or strangers. Moreover, Blackstone argues on the assumption that concubinage in any form, short of actual marriage, is an *offence*, needing reparation. This however is the point that we altogether dispute : we contend, and consider that we have abundantly proved, that faithful concubinage, such as we are here treating of, is no offence against the laws of God, or of morality. Nor does it appear to be even a *statutable* offence : it is not enumerated among offences at common law by this learned author.

However, without dwelling further on the matter in this place as a question of expediency, we return to the principles and practice of Scripture: and we desire to ask especially of the Bishops of our Church whether they still hold with the doctrine of the ancient Church, and with that Canon Law which has never been reversed, that the children of concubines, born before marriage, ought to be reckoned legitimate, as well as those born after marriage; and this not only for the reason, *quia tales habet Ecclesia pro legitimis*, but also because this principle is in truth most agreeable to the law of God, as gathered from Scripture. Will the Bishops of the present day affirm this principle, or will they deny it? If they deny it, will they assign reasons in disproof of it? And if not, will they once more, in the name of Truth and Justice, recommend to Parliament its adoption? The Peers of Great Britain, justly tenacious as they are of the ancient laws and Constitution of their Country, yet even they do not for ever say, invariably and inexorably, like the Medes and Persians, "*Nolumus leges Angliæ mutare*": and if the whole Bench of Bishops,—"*omnes Episcopi*,"—were now again, after a lapse of more than six hundred years, unanimous in urging this matter upon the Legislature, it is not unreasonable to suppose that they would obtain some modification of the present law: which, as some of our Judges have recently acknowledged, bears very hardly upon those who are specially subject to its operation.

In Scotland, the principle here advocated has always prevailed; a child born before marriage being made legitimate by the subsequent marriage of his parents. As we do not hear of any serious protest against this law, either on the part of the Bishops or any others, we must presume that no grave impropriety or mischief is seen therein.

VII. In seeking a remedy for these matters, it will probably be found that the first step at least in that direction is tolerably plain, and also simple. The difference between

concubinage, as we find it in Scripture, and that which is understood by the term in the present day, appears to consist mainly in this, that *there* the connexion was of a definite character, subject evidently to *some* laws and conditions, even if not so strict as those of marriage; and moreover, it was a fact publicly known, avowed and acknowledged. But *here*, being unrecognized, it is defined by no law, and is in fact subject only to the mutual agreement, the conscience or the caprice, of the parties themselves: and it is accompanied by no legal proof or evidence, such as exists to substantiate the fact of marriage. At the same time it is important to observe that the practice is not prohibited nor punished directly as an offence, either under the common law, or by Statute. No new enactment therefore is required to make it lawful or allowable; but rather, in the first place, some provision whereby this practice, when adopted in a settled form, according to the examples and principles of Scripture, may be distinguished from that loose, temporary cohabitation, which is indeed no better than mere fornication.

The first thing requisite for this purpose is evidently to give a public or definite character to the connexion, to make it a fact *known* to the law. This would be effected by a simple declaration of concubinage, made by the parties concerned, in the presence of a competent authority, as a Clergyman or Registrar, and of course recorded or registered by him, as in the case of a marriage.* When the connexion had thus acquired a *status* in the eye of the law, any further conditions that were found necessary could

* And this, we may also venture to say, *might* be performed by them,—by the Clergy at least,—without the intervention of any new Act of Parliament, even as Marriages were celebrated by them long before Parliament interfered in the matter. Nevertheless, in the present circumstances of our time, it would probably be more desirable that some simple provisions as to registration should be laid down by that which is the supreme authority among us on matters of this kind.

subsequently be imposed without difficulty, and from time to time, as experience might dictate, or occasion require. Modern legislation does not generally occupy itself with starting new theories of social order; but is rather limited to correcting evils that are proved to exist. The British Parliament therefore would not be disposed, probably, to entertain the idea of establishing a system of concubinage, as a new thing, with detailed rules and conditions for all the circumstances connected with it, not even though the soundness of such a theory, or the propriety of such rules, might be very clearly demonstrated beforehand. But when the system is found to exist as a matter of fact, and to a considerable extent, and when it is seen that some amount of mischief or injustice is produced by the abuse of it, or by the imperfection of the Law itself in regard to it, then probably the Legislature will think it worth while to step in, with such provisions as may remedy the evils found to arise.

This is a point however on which we do not think it necessary to dwell at greater length in this place: it is in fact not only beyond the scope of this present chapter, but in some measure beyond the scope of this simple essay altogether. Our object has been to enquire into the teaching of Scripture in regard to this practice; and we have found that whereas it was clearly allowed in the Older Dispensations, it was not prohibited nor censured in the New, neither directly nor otherwise. But to make these facts applicable to modern times, this caution we say appears to be necessary, and as a matter of primary importance; namely that the connexion should exist as a clear, definite fact, no more liable to dispute than the fact of marriage itself. The ceremony by which it is entered upon may be of the shortest character, or possibly may be no ceremony at all: * the various conditions of the con-

* In Scotland, even a valid marriage may exist without any initial

tract, either in regard to permanency or otherwise, may be of the simplest, or (as we have said above,) such as the legislature may think fit, from time to time, to impose : but this at least seems obviously necessary, that the contract or connexion should be declared and constituted in some tangible form, in the presence of some competent witness or authority. With this leading proviso, and subject to such conditions as we have been able to gather in the course of our enquiries, or subject indeed to any others which may be fairly established on the authority of the Sacred Writers, we venture to conclude that the practice of Concubinage, as in some respects distinct from Marriage on the one hand, and still more distinguished from fornication on the other, is not condemned by the testimony of Holy Scripture, and is not to be treated as immoral or dishonorable, whether among Christians or any other members of the Human Family.

VIII. This conclusion will appear to many persons, at first sight, no doubt, not only novel and startling, but contrary to all their previous notions of morality, and in fact dangerous to the moral welfare of the Community. This apprehension will be dissipated, I believe, by a fuller consideration of all the facts of the case ; all that Scripture does say in reference to these matters, especially in comparison with the circumstances which are found to exist, and which in a great measure are directly produced by the present rules of society. The Bible starts with the fundamental law of the Creator, addressed to mankind as well as to all other living creatures ; "Be fruitful, and multiply, and replenish the earth." In accordance with this design, and with the powers which He conferred upon them for this purpose, He ordained the state of Marriage ; including

ceremony ; all that is necessary being cohabitation and mutual acknowledgment before any witnesses. See also below, chap. XIV., § ix.

therein, (as we read the Book,) either at the beginning or at an early period afterwards, the condition of concubinage. He also prohibited and condemned all such things as contravened or interfered with this primary law,—“adultery, fornication, uncleanness, lasciviousness, murders, and such like;” sins which are uniformly, and in uncompromising terms denounced in all parts of the Sacred Volume. Let these principles of Revelation,—abundantly confirmed as they are by the laws of Nature,—be duly weighed and acknowledged: let it be understood that all sensual indulgence in these matters outside the limits allowed by the Creator is mischievous and sinful, in many cases absolutely fatal both to body and soul: and then there will not be much doubt left as to which is the course of true morality; nor any desire to abridge the liberty which God Himself has given us, for the sake of maintaining the artificial and superficial proprieties,—the whited sepulchres,—of modern Society.

There is another point also the importance of which seems to be not by any means generally understood as it ought to be. Whatever is done now in the way of illicit intercourse is done generally, we must suppose, (not always, indeed,) against a man's own conscience. In many of these cases,—cases of cohabitation or concubinage, at least,—it is probable that the sin lies not so much in the fact of the concubinage itself, as in this fact that the man is doing wilfully that which he himself believes to be wrong, forbidden by the law of God. This is the very essence of sin, as we have pointed out in a former chapter, (Chap. VII., L.): and this is the peril in which hundreds or thousands of souls are lying, little conscious perhaps of their own danger. Hence arise, too, those numerous cases of desertion, infanticide in various forms, and female suicide; to which apparently the public mind has become so much accustomed that it has lost sight of the serious gravity of

the crimes involved herein ; and certainly does not sufficiently trace the responsibility of them to their right authors. These pages will not have been written in vain, if they teach some men at least,—and some perhaps who would not have learnt the lesson elsewhere,—to understand this as the primary and most essential duty of all religion, whatever creed they may profess, whatever may be their notion or their knowledge of their Maker, to do nothing which their conscience does not honestly approve of ; and also not to be deterred from any duty which they clearly owe to those belonging to them, merely by the fear of the world's reproach : in short, not to put the fear of man above the fear of God.

At the same time a serious question arises on the other hand for other persons. If the laws of society, which now so rigorously proscribe even the most faithful and legitimate forms of concubinage, are not fully warranted by the laws of God, then must we not suppose that even these sins of which we have just spoken are to some extent *divided* in the sentence of the Supreme Judge, and part of them laid to the account of those who thus restrain men of their natural liberty, and tempt or drive them to do in sin what otherwise they might have done with a clear conscience ?

The fuller consideration, however, of the moral and social results likely to follow from the principles here advocated belongs to another view of the question, which, as before said, we hope to enter upon at a future opportunity. For the present, in concluding this part of our enquiry, the direct testimony of Scripture, we have only one more point to dwell upon.

ix. If the principles at which we have arrived are fairly drawn from the evidences of Scripture, and if Scripture is in any intelligible sense the revealed Word of God, then it is impossible to doubt their morality, propriety, or expediency. For all persons who really have this faith in the Inspiration

of the Bible,—and it is to them chiefly that these pages are addressed,—for such persons the only question, or certainly the main question, must be this : *What* does the Bible say? Are these conclusions fairly and honestly arrived at, without perversion or misinterpretation?

They are derived, as will be admitted, not from a few doubtful or isolated texts of Scripture, not from passages of uncertain meaning or disputed authority, but from a full and impartial review of all the facts and statements in the Sacred Volume which appear to have any material bearing upon the subject ; statements so numerous, and for the most part so very plain as to leave apparently no room for doubt as to their meaning or their teaching.—As to perversions of Scripture, though such things are not altogether unknown in theological controversy, it would be superfluous for any writer to protest his own innocence of them. We can only say therefore on this point that we challenge any one to show anything like a manifest perversion of the language of Scripture, in any passage that we have here discussed.

If then our conclusions are fairly derived from the Words of Scripture itself, does it not argue a poor faith in the divine authority of this Book, to doubt their morality or propriety? Does it not show a perilous disrespect for the Supreme Being Himself, to set up our own judgment, our own principles, the traditions or the prejudices of men, as being wiser, better, or holier than the laws which He has sanctioned?

It is a serious thing, no doubt, to deny the authority of a book which comes to us with such strong evidences in its favour as does the Bible. But there is one other thing still more serious : and that is, for those persons who really believe the Bible to be the Voice of the Living God, to reject its teaching, and to disobey its laws.

CHAPTER XIV.

ECCLESIASTICAL AUTHORITIES.

SOME of the facts of Scripture which we have adduced in the preceding pages, and the conclusions which we have drawn from them, will be thought no doubt to be separated by a very wide interval from the principles held by Christians generally in the present day. But they are separated by a very wide interval of time also,—eighteen centuries and more. It would be a work of some interest, no doubt, to trace the various changes of opinion in these matters, and the causes which have produced them, especially in the early centuries of Christian history: and although it is true indeed that the earliest period, after the death of the Apostles, is involved in much obscurity, and has left us comparatively few authentic records, yet there are some ancient Canons of the Church, and some writings of the early Fathers on the subject of Marriage still extant, from which sufficient materials could be drawn for this purpose. We shall not, however, attempt to do this at any great length in this short essay: it does not appear to be a work of positive necessity, nor one that would materially affect the judgment of many persons in this age and country. Either we shall be guided and governed in our judgment by the voice of Scripture, so far as that can be ascertained, as the absolute Will of God, from which there is no appeal; or we shall solve the question as best we can on the grounds of justice and expediency; of what appears most consistent with the natural rights of individuals, and also with the moral and general welfare of Society.

There are however a few historical facts of sufficient importance to be noticed in connexion with this early

period, before we come to consider the laws of the Church in the present day.

1. First we may observe that even within the times of the Apostles themselves, some heresies and falsehoods on the subject of Marriage had been mixed up with the name of Christianity. The sect of the Gnostics, of whom Simon Magus was the founder, or one of the first propagators, had accepted some of the Christian doctrines, acknowledging Jesus Christ as a Holy Person sent from God for the salvation of mankind from the power of evil; and by many of the outer, heathen world, they were looked upon as belonging to the Christian community. But they included in their philosophy many things altogether alien to the principles of the Gospel, advocating a community of wives, and other kinds of licentiousness; and hence giving occasion to the outer world to accuse Christianity itself of these crimes. Then, on the other side, and partly perhaps in consequence of these false imputations, there arose various teachers who began to discourage marriage altogether, as being "simply unlawful under the Gospel; and who would have all men abstain from it as a matter of necessity, without which they could not be saved."* Such were the Encratites, Manichæans, Eustathians, and others. While others, as the Montanists, Novatians, &c., denied not the lawfulness of Marriage altogether, but only condemned Second and Third Marriages, (*i.e.*, after the death of the former wife.) Then again, the Marriage of the Clergy was another point which gave rise to much controversy.

The various opinions held by the early Church at different times and places, on this subject, may be seen by reference to the Canons or Decrees of the various Councils during the first three or four centuries. As these documents are not within easy reach of general readers, we place a few selections from them in an Appendix:† they

* Bingham.

† Appendix A.

may thus be compared with one another, and also with the declarations of Scripture itself.

II. From these passages we may gather the following results :—

- (a.) The Marriage of the Clergy was *allowed* by the *Apostolical Canons*, 5, 50. *Apostolical Constitutions*, Book VI. *Council of Gangra*, 4.
 but was *disallowed* by the *Council of Neocæsarea* 1. *Council of Trent*. xxiv. 9.
- (b.) Second and subsequent Marriages were *disapproved* on the ground of intemperance, in *Apost. Const.* III. and generally in *Neocæsar.* 3, 7.
 but were *allowed* in *Nicen.* 8. *Laodic.* 1.
- (c.) Polygamy is *prohibited* expressly in *Toledo.* 17. *Trent.* xxiv. 2.
 and by implication, in the prohibitions of *digamia*, in *Apost. Can.* 16. *Apost. Const.* III. VI. *Neocæsarea* 3, 7.
- (d.) Concubines are *forbidden* to the Clergy in *Ap. Can.* 16.
 and to Christians generally in *Ap. Const.* VIII. *Trent.* VIII.
 but are expressly *allowed*, (when not polygamous,) in *Toledo* 17.
 cf. *St. Augustine*, (1) and (2).
- (e.) And lastly, the Excellence of Marriage generally is *vindicated* in *Apost. Canon.* 50. *Gangra.* 1.
 but is *disparaged* in *Trent.* xxiv. 10.

It will be seen at once from a review of these facts that there was in those days a considerable tendency, (though

not without some opposition,) to depreciate the institution of Marriage, and to limit the rights of mankind in this respect much more narrowly than had been done by the authority of Scripture itself. St. Paul appears clearly to have foreseen these doctrines when he wrote to Timothy, (1 Tim. iv. 1, 3.)

“Now the Spirit speaketh expressly that in the latter times some shall depart from the faith,..... forbidding to marry, and commanding to abstain from meats, etc.”

And to some extent he had occasion to resist them in his own day, when he asserted his right, as an Apostle, “to lead about a sister, a wife, as well as other Apostles, and as the brethren of the Lord, and Cephas.” (1 Cor. ix., 5.): and when he declared that “marriage is honourable in all, and the bed undefiled; but whoremongers and adulterers God will judge.” (Heb. xiii., 4.) With such statements in the inspired Writings, it is hardly necessary to combat the decrees of the later ages of the Church,—ages when, as we have before observed, much zeal for the faith of Christ, and much courage under persecution were yet mixed up with many ideas and opinions foreign to the truth and simplicity of the Gospel. There are however one or two matters among the points above enumerated which we may here briefly refer to.

III. And first, as to Polygamy. We do not find any express or general prohibition of it earlier than the First Council of Toledo, (A.D. 400.) except such as is implied in the censure of *digamia* in the *Apostolical Canons*, the *Apostolical Constitutions*, and the *Canons of Neocaesarea*. This term, *διγάμια*, we may observe, is of somewhat ambiguous signification,* being either equivalent to our word

* “*Δίγαμον* veteres Latini dici putarunt eum, qui primâ uxore mortuâ, alteram duxerit, aut contrâ. Quidam ex recentioribus *διγάμους* dici viros censent, qui vivente uxore, eâque vel adhuc legitimè con-

"bigamy," or else denoting a *Second Marriage, i.e.*, after the death of a former wife or husband, (more clearly expressed by *δευτερογαμία*) : and this latter sense appears to be generally understood as belonging to it in these Ecclesiastical Writings. Speaking then chiefly on the subject of admission into the College or Profession of Widows, the *Apostolical Constitutions* say, (III. 2.)

"You are to understand this also that *Single Marriage*, (monogamia,) lawfully effected, is right, as being according to the will of God : but *Second Marriage*, (digamia) after promise or profession, is wrong ; not on account of the act itself, but as being false to the promise. *Third Marriage*, (trigamia,) is a sign of incontinence ; and anything beyond this, is downright whoredom and lewdness."

If these terms, *digamia*, *trigamia*, could be understood merely as denoting polygamy, we might be justified in saying that the principle here laid down was not supported by any clear warrant of Scripture, even of the New Testament : while it is in flagrant opposition to the numerous examples we have adduced from the Old Testament. But if these laws are really to be understood as a general condemnation of Second Marriage, both for men and women, then they are still more evidently opposed to the general tenor of Scripture ; a manifest perversion of the guarded and qualified language of St. Paul ; and a dangerous limitation of the natural rights and duties of mankind. It is satisfactory to observe that the two important councils of *Nice* and *Laodicea* both distinctly repudiate these restrictions, and claim

junctâ, vel injusto divortio separatâ, alteram superinducunt : mulieres vero *διγάμους*, quæ a viris merito repudiatae, aliis postea nubent."

Joan. Scapula Lexicon. .

"*Διγάμος*, I. Married to two people, adulterous.

II. Married a second time. *Eccles. Writers."*

Liddell and Scott:

the liberty of Second Marriage as being according to the "decrees of the Catholic Church."

iv. On the subject of concubines, we find them referred to in the *Apostolical Canons*, the *Constitutions*, and the *Council of Toledo*. And the first remark we have to make here is, that these references show that the condition of concubines as a distinct class was clearly recognized in those days; distinct from harlots on the one hand, and from wives duly married on the other. This is a point of considerable importance, as we have several times had occasion to observe, especially as some persons appear inclined to ignore or deny this fact altogether.

In the Canons then,—which no doubt are of a very early date, though their precise origin and authority are doubtful,—we find the following rules.

"16. He that after baptism has engaged in two marriages, or has had a concubine, cannot be a Bishop, or Presbyter, or Deacon, or belong at all to the Sacred Ministry.

17. He who has married a widow, or a divorced woman, or a harlot, (*ἐραίπα*,*) or a maidservant, or an actress, cannot be a Bishop or Presbyter or Deacon, or at all of the Sacred Ministry."

These two Canons clearly make a distinction between the concubine and the harlot, or courtesan; though they make a somewhat similar objection to both. And this objection, it will be observed, refers only to the Clergy. Concubines here are not objected to on the part of the laity, as being essentially contrary to the principles of the Gospel. It is

* "*Ἐραίπα*, in Attic Greek, usually opposed to a *lawful wife*, and so, with various shades of meaning, from a *concubine*, (who might be a wife in all but the legal qualification of citizenship,) down to a *courtesan*, *harlot*, *strumpet*."

therefore not made a matter for exclusion from the Sacraments and rites of the Church generally ; but only from the Sacerdotal Order, or any Office in the Sacred Ministry. The latter objection to the marriage of widows, divorced persons, etc., is evidently borrowed from the Levitical Code, (*Levit. xxi. 7, 10,*) as may be seen by comparison with the *Apostolical Const. vi. 17*, where the same restrictions are repeated, "as saith also the Law."

In the *Constitutions*, we find, (Book viii. 32):—

"If a Christian has a concubine who is a slave, let him give up the connexion, and enter upon a lawful marriage: if she be a freewoman, let him marry her according to law: otherwise, let him be rejected from the Church."

This again marks the distinction between a wife married according to law, and a concubine: and it further shows that concubines were not limited exclusively to the rank of slaves, though frequently, or perhaps most commonly taken from that class.

It is not necessary here to discuss the propriety of any of these rules just quoted. The fact is, that neither the so-called "Apostolical Canons," nor the "Constitutions," come to us with the authority of any solemn synod of the Church; nor indeed with any known authority at all. They are both documents of some degree of interest to us, as illustrating the early history and opinions of the Church: but we are quite free to criticize or even dispute their injunctions: and the very fact of a concubine being condemned side by side with a Second Marriage, or Marriage with a widow, is sufficient to deprive them of any conclusive authority for us.

v. The first and only authoritative judgment on this subject that we meet with during the first Four Centuries of the Christian Era, is that of the *Council of Toledo*, A.D. 400; which decreed as follows:—

"Chap. 17. If any Christian who has a wife, have also a concubine, let him not communicate. But he who has not a wife, but has a concubine instead of a wife, may not be repelled from communion : provided only that he be content to be joined to one woman, either wife or concubine, as he pleases. If however he lives otherwise, let him be rejected, until he ceases and returns with penitence."

Here is a Canon directly bearing upon the question at issue. And upon this we observe first that it shows the distinction between the two questions of polygamy and concubinage. Although the concubines of whom we have read in Scripture appear generally to have been living under the conditions of polygamy, yet it is clear that the one question is not to be considered merely as an inseparable part of the other. Polygamy, as we have said before, may generally be considered to include the condition of concubinage, as being indeed the best form in which it can exist* : but *vice versa* : concubinage may exist, on the principle allowed in this Canon of Toledo, without polygamy.

Now let it be clearly understood what is the particular question we are here discussing. It is not now as to the moral and social expediency of this practice : it is not as to its conformity with the present conditions, or the present

* "Polygamy prevailed, [in the Old Testament period,] but to a great extent divested of the degradation which in modern times attaches to that practice. In judging of it, we must take into regard the following considerations :—

(1) "That the *principle* of monogamy was retained, even in the practice of polygamy, by the distinction made between the chief or original wife, and the secondary wives, or as the A. V. terms them 'concubines,' a term which is objectionable, inasmuch as it conveys to us the notion of an illicit and unrecognised position, whereas the secondary wife was regarded by the Hebrews as a wife, and her rights were secured by law : &c."

Smith's Dictionary of the Bible. (Marriage.)

opinions of society, either in England or in Europe, or in any other particular part of the globe : but the primary question which I desire to raise, and which I have endeavoured hitherto to keep prominently in view, is with reference to the *principle* of the thing : Is it, in the first place, in conformity with the Will of God, so far as we can determine this point by direct reference to Scripture ? and especially is it in conformity with the principles of Christianity ? On this point, I cannot but think that the Canon here quoted is a fact of very considerable weight. The early decrees and dogmas of the Christian Church, though the Church of England does not profess to accept them as conclusively binding upon the conscience by their own authority, "unless it may be declared that they be taken out of holy Scripture," yet in any case they are deserving of some attention ; especially at the hands of those who profess any regard for Church authority generally. And this Canon, as we see, is not merely an expression of opinion by any private individual ; it is not a law of spurious or uncertain origin, like those falsely called "Apostolical" ; it is the authentic and deliberate Decree of a regular Synod of the Church, assembled at a time which was by no means the darkest in the history of Christendom. Although therefore it may be questioned whether or not, as a part of the Canon Law, it carries any legal authority in England at the present day, whether it would warrant our Bishops and Clergy in acting upon the rule which it lays down : yet at least it proves that the principle advocated in these pages is not altogether a novel, extravagant theory, utterly without precedent or authority in the annals of the Christian Church. On the contrary, we must venture to say that the existence of this Canon constitutes a challenge to our Bishops, or to any others who dispute our present argument ; and calls upon them to produce, if they can, any other Canon of the Church, of equal or greater authority than this, bearing an opposite sense.

That some Decrees tending to restrain or suppress this practice were promulgated in subsequent ages, especially in that portion of Christendom which fell under the dominion of the See of Rome, appears indeed to be true. It is denounced, as our Appendix shows, by the Council of Trent, as being a sin of a very grave character. We will refer to this again immediately; but before leaving the earlier ages, there are one or two other authorities belonging to this period which may be briefly noticed.

vi. And first among these, we would call attention to the opinions of *St. Augustine*, Bishop of Hippo, one of the most distinguished and voluminous writers of the Early Church.

“It may fairly be doubted, he says, whether a concubine ought not to be admitted to receive baptism, if she promises to have no connexion with any other man, even in case of being dismissed by her present lord or husband.”

This opinion, as well as the Canon of Toledo, which was contemporary with it, shows no doubt that the question of concubines was in debate, and perhaps undetermined, at that period: but this eminent Divine evidently sees no objection to the practice of concubinage, in itself, provided that the woman at least kept herself free from adulterous intercourse with other men.

The other passage that we have quoted from this Father shows his acute and impartial judgment in regard to the concubines of Scripture: and the conclusion which he here suggests, though not acknowledged, appears evidently the foundation of that sentence which we have quoted from the Homilies of the Church of England; namely, that, “in the phraseology of Scripture, every concubine is a lawful wife, but every wife is not a concubine; so that Sarah and Rebekah, and Leah and Rachel may not be called concu-

bines ; but on the other hand, Hagar, Keturah, Bilhah and Zilpah, may be called both wives and concubines."

vii. The position of a concubine in the Roman Empire, during the first ten centuries of the Christian era, is thus described by Gibbon, in his review of the Code and Institutes of Justinian.

"A concubine, in the strict sense of the Civilians, was a woman of servile or plebeian extraction, the sole and faithful companion of a Roman citizen, who continued in a state of celibacy. Her modest station, below the honours of a wife, above the infamy of a prostitute, was acknowledged and approved by the laws : from the age of Augustus to the tenth century, the use of this secondary marriage prevailed both in the West and East ; and the humble virtues of a concubine were often preferred to the pomp and insolence of a noble matron. In this connexion, the two Antonines, the best of princes and of men, enjoyed the comforts of domestic love : the example was imitated by many citizens impatient of celibacy, but regardful of their families. If at any time they desired to legitimate their natural children, the conversion was instantly performed by the celebration of their nuptials with a partner whose fruitfulness and fidelity they had already tried. By this epithet of *natural*, the offspring of the concubine were distinguished from the spurious brood of adultery, prostitution, and incest ; to whom Justinian reluctantly grants the necessary aliments of life : and these natural children alone were capable of succeeding to a sixth part of the inheritance of their reputed father."*

In quoting this passage from Gibbon's laborious and important work, we say nothing about his *opinions*, expressed either here or elsewhere ; we merely give it as a

* Gibbon's Roman Empire. Ch. xliv.

fair statement of a *matter of fact*, and of historical truth, and clearly illustrating the conditions of this class during the period we are now dealing with. It has, however, a practical relevancy and importance for us, which very many persons are probably not aware of. The conditions of concubinage here described were those allowed by the Civil Law of the Roman Empire, especially as settled by the laborious and careful enactments of the distinguished Emperor *Justinian*: and these enactments, as is well known to every lawyer, form an important factor among the numerous elements of which the Common Law of England is made up.* Whether, in the absence of any positive

* Sir Wm. Blackstone, in the Introductory Sections of his great Work, explains that "our unwritten or Common Law is properly distinguishable into three kinds: 1. General Customs: 2. Particular Customs: 3. Certain particular laws; which by custom are adopted and used by some particular Courts, of pretty general and extensive jurisdiction And by these I understand the Civil and Canon Laws.

"By the 'Civil Law,' absolutely taken, is generally understood the Civil or Municipal Law of the Roman Empire, as comprised in the Institutes, the Code, and the Digest of the Emperor Justinian, and the Novellæ, or New Constitutions of himself and some of his successors."

The Canon Law, "*Corpus Juris Canonici*," (which as well as the Civil Law, was introduced into this realm in the reign of Stephen,) is a body of Roman Ecclesiastical Law, compiled from the Writings of Latin Fathers, Synodal Decrees, Papal Bulls, &c.; and is contained in several collections, from the *Decretum Gratiani*, about 1151, to the Constitutions of *Pope John XXII.*, 1317. Besides these, there is a sort of National Canon Law, consisting of Decrees, &c., made in Provincial Synods of the English Church. In the reign of Henry VIII. it was enacted in Parliament, (25 H. viii. c. 19.) chiefly at the urgent instigation of Cranmer, that a review should be had of the Canon Law: and till such review should be made, the existing Canons, where not repugnant to the law of the land, should continue in use. "As no such review has yet been perfected, upon this Statute, (says Blackstone,) now depends the authority of the Canon Law of England."

But amidst the various enactments, repeals, and revivals of Statutes,

Statute to the contrary, it may still be assumed that the concubine's condition is "acknowledged and approved by the laws" of England, as well as of Imperial Rome, is a somewhat abstruse point on which we shall not here venture to express an opinion.

The same thing must be said also in regard to the Ecclesiastical or Canon Law, which, as we have just seen above, in ancient times sanctioned the practice of concubinage. "But they made a distinction anciently, says Bingham, in this matter;" one sort of concubines being permitted, as not differing essentially from a wife; while others, "such as we commonly call harlots," were rejected from Baptism and the rites of the Church. Perhaps it would be more correct to say that so long as certain conditions, as to fidelity and permanency, were observed, the Church admitted the parties to the rights of Christian fellowship; but not otherwise.

VIII. However, without stopping to examine all that may have been said or ordained on this subject during the thousand years of the Middle Ages, we pass on now to say a few words in reference to the judgments of the Council of Trent: which deserve some notice, both because they deal very fully with the subject of marriage, and also on account of the important character belonging to that Council, in fixing the Doctrine and Discipline of the Church of Rome, ever since that time to the present.

The only two points which we need dwell upon here are those specially concerning concubines, and the view taken of Marriage generally in that Council.

(1.) First, in the "Decretum de Reformatione Matrimonii," chapter 8, we find this declaration:—

which took place during the Reformation period, from Henry to Elizabeth, there seems to be considerable uncertainty as to what Canon Laws really are in force now, by virtue of the authority of Parliament.

“It is a great sin that unmarried men should have concubines : but it is one of the gravest character, and committed in singular contempt of this great sacrament, that even married men should live in this state of damnation, and presume to support and keep concubines at home,—even together with their wives.”

It is not impossible, perhaps, that the system of concubinage may have become so far corrupted or abused at the time when this Council was held, that the condemnation here pronounced was in some degree necessary and justifiable. The term *concubine* is no doubt somewhat ambiguous and undefined ; and may sometimes be used to include a class of persons very different from those with whom we have hitherto been dealing, in the narratives of Scripture. If this Decree of the Tridentine Synod were intended only to condemn such persons, and in fact to restrain the practice of concubinage within proper conditions and limits, we should have no fault to find with its declarations. But as the Decree stands, this limited meaning cannot be put upon it. It speaks in unqualified terms of concubines generally : and in this sweeping, universal condemnation, it is hardly necessary to point out how seriously it conflicts with the facts which are recorded in the Sacred History. It charges Abraham, Jacob, and many others, with sin which is not only grievous, but grievous in the highest degree ; not only “grave,” but “*gravissimum* ;” and declares the state in which they were living to be a “state of damnation.”

(2.) Again, on the subject of Marriage generally, we find the following Canon, (*Sess. xxiv. 10.*)

“If any one shall say that the state of Marriage is to be preferred to the state of virginity or celibacy, and that it is not better and more blessed to continue in virginity or celibacy than to be joined in matrimony ; let him be accursed, (anathema.)”

St. Paul we know wrote very solemnly on one occasion, If any man love not the Lord Jesus Christ, let him be anathema. (1 Cor. xvi. 22.) The phrase has unhappily been adopted by the Church in various Councils, and applied on occasions of much lighter moment, much less certainty, and with much lower warrant or authority. One can hardly imagine a greater contrast to St. Paul's solemn warning than is presented in this place, where the same imprecation is invoked against a mere expression of opinion, on a matter of by no means vital importance. It might be sufficient to set against this Canon of Trent, the 50th of the *Apostolical Canons* ; or the 1st of *Gangra* : "If any man reproach matrimony, etc., let him be accursed." But we have higher authority than these. "The LORD GOD said, *It is not good* that the man should be alone : I will make him an help meet for him . . . So God created man in His own image ; in the image of God created He him ; male and female created He them . . . And God saw everything that He had made, and behold, it was very good."

The following passage, which comes from a very high authority, also enunciates some important elementary truths in reference to this subject.

"In the beginning, it was divinely ordained that we should find those things instituted by God and by nature more useful and more salutary in proportion as they remain whole and immutable in their original condition ; since God, the Creator of all things, well knew what was expedient for the establishment and preservation of each, and so ordained all by his will and judgment that each should have its appropriate development. But if the temerity or wickedness of men seek to change and to disturb the order of Providence, then indeed even things which have been most wisely and most advantageously instituted begin to be injurious, or cease to be beneficial, either because by change they have lost the power of doing good, or because it is the will of God to punish in this manner the pride and audacity of men. &c."

Again ; "Certainly the contrivances or decrees of men have not the power to change the natural character and conformation of

things : wherefore those persons bring a small amount of wisdom to bear on the public welfare, who think that the genuine theory of Marriage can be perverted with impunity : &c."

These are sound general maxims which no one will dispute : the only question is as to the application of them. Who is it that "perverts the genuine theory of Marriage"? How, or when, have "the temerity or wickedness of men sought to change and to disturb the order of Providence"? By allowing marriages, (says the Writer,) to be celebrated by the authority of the State, independently of the Church : and especially, by the permission of Divorce. Perhaps so, to some extent : but still more so, we should say, by the total prohibition of Marriage among the Clergy, as in these Canons of Trent ; by many impediments thrown in the way of Marriage, as in regard to natural and "spiritual affinities" : by the total condemnation of concubinage, in every form : and especially by that disparagement of Marriage generally, and exaltation of celibacy and asceticism which is exhibited in these Canons ; and the practical effect of which is shown in the forced vows of celibacy, virginity, and seclusion which the Roman Church has so eagerly promoted ; vows which have shut up thousands of men and women in the walls of a Convent, and robbed them of all the happiness and peace which God's Providence had ordained for them.* This sentiment it is

* Since the above words were written a circumstance has occurred which so forcibly illustrates our remarks, and shows that the point here touched upon is by no means out of date, even in England, that we venture to reprint the account given in the *St. James' Gazette*, Oct. 22, 1880 :—

"The ceremony of opening a new Carmelite Convent and Chapel at Lillie Road, Fulham, took place this morning in the presence of a large congregation. * * * At the conclusion of Mass, the bishop and clergy, followed by the whole congregation, entered the convent in procession, and consecrated the various rooms and 'cells' which will be occupied by the nuns, who will here be completely shut out from

which flatly and daringly contradicts the emphatic declaration of the Creator. This it is which needs the correction,—if not the anathema,—of the exalted Author of that passage we have just quoted,—no less a person than His Holiness Pope *Leo XIII.* His Encyclical Letter, on the subject of Marriage and Divorce, (from which these words are taken,) may be seen, in an English version, in the *Tablet* Newspaper, of *Feb. 21* and *Feb. 28, 1880.*

Is it too much to hope that His Holiness may calmly and dispassionately review the position which his Church has taken up in this matter ; and which has caused so much mischief and misery, not only to individuals, but to that Church and the Christian name generally ? The Holy Father has entered upon his high office, (if we may humbly presume to say it,) with the general respect and goodwill of Christendom ; what an immense influence and power for good he would obtain for his Church, if while vigorously denouncing all adulterous and looser forms of cohabitation, such as are clearly condemned by Holy Writ, he would at the same time boldly give her the signal to retrace her steps in this matter of forced celibacy, which is alike opposed to Nature and to Revelation ; and to be satisfied with such laws of temperance and self-control as were deemed sufficient by the Apostles themselves !

the world, even from the sight of their own relatives. The 'cells' are lofty and airy, and contain a very hard and plain bed, a kind of stool to sit on, and a Cross placed at the head of the bed. The place where relations may visit the nuns was viewed with curious interest. Large iron bars crossed by others, and over all, a dense wire-gauze, are placed between the seat of the nun and that of her visitor, and the latter cannot even see the face of the *religieuse*. The convent was opened to the public for the first and the last time this morning, the Bishop, at the conclusion of the ceremony, declaring it now closed. Many of the nuns took affectionate leave of their parents or other relatives as they retired ; and some of the mothers wept as they saw their daughters for the last time."

ix. The learned Bingham, in his valuable and standard work on the Antiquities of the Christian Church, has given a very full and impartial account of the rules of the Early Church in regard to concubines. This work being an extensive publication, not of recent date, and probably unknown to the great body of the public generally, we think it worth while to print the full text of that section in which Bingham deals with this subject; (vide Appendix B :) although some of the authorities which he there refers to have been already quoted in this present Chapter. It will be seen that this Author, like the Author of the Tenth Homily, evidently feels that he is speaking against a strong general prejudice; but that it is a prejudice, like many others, engendered by ignorance of the subject; and one therefore which ought to be in a great measure removed by the facts and the information he is able to set forth.

After what we have already said concerning the Ancient Canons, there is only one point in this Extract which remains to be noticed. "Now the difference, (he says,) betwixt such a concubine and a wife was not that the one was truly married and the other not; but in the different way of their being married. . . . She who was called a concubine was one married in a private way, without the solemnity which the law required."

What interpretation are we to put upon this statement? It is needless, perhaps, to ask for a description of that private ceremony, or form of marriage, the distinguishing feature of which was that it was no legal ceremony at all. But, at any rate, we should like to know this, if possible,—What was it that gave to the subsequent concubinage, in the eye of the Church, a lawfulness or admissibility which it would not otherwise have had? And further, how can the same principle be most properly applied in our own day? If the Church was right *then*, in admitting the principle of concubinage, right in admitting persons under

these conditions to the privileges of Christian Communion and Sacraments, as determined by the Council of Toledo, the same thing must be allowed *now* also, *as a matter of principle*; which is not affected by the mere lapse of time or difference of country and social customs: the only question being, What is necessary to define the principle? What form or process is required, in short, to distinguish the concubinage which is allowable, which is Scriptural, which is Christian, from that which is on all hands condemned as sinful?

This question appears to resolve itself into two points:—

(1.) What process or ceremony is necessary to constitute the state of concubinage (in the legitimate sense,) as a matter of fact?

(2.) What conditions are required to make it consistent with Christian principles?

As to the first of these queries, we have already suggested in the preceding chapter, that the first requisite is a simple declaration of the fact, in the presence of some competent witness or authority, whose record or register would be available in a court of justice.

For the second point, Bingham states what he considers the most essential conditions, as follows:—

1. That they (the concubines) were unmarried persons before:

2. That they obliged themselves to their husbands, to live in conjugal chastity, and in procreation of children, and be joined to no other:

3. And that they would continue faithful in this state all their lives.

On the supposition that monogamy is imperative on both sides, these conditions would apply to the man also, as well as the woman: otherwise not. Leaving out this point, then, for the present, as an open question, we have to ask, Will anyone require any further proceedings or conditions,

beyond those above suggested, as being necessary to give effect to the principle anciently accepted and adopted by the Church, the principle, that is, of the lawfulness of concubinage? Any conditions so required, if they were shown to be consistent with the principles of Scripture, ought of course to be accepted, and doubtless *would* be accepted, by all who desired to do what was right in this matter, and to continue in the privileges of Christian communion and fellowship. But any conditions propounded that did not clearly flow from Scriptural authority and example, would require to be justified by some plain reasons of necessity before they could be generally insisted on.

This point, however, as we have already said, we do not consider it our business here to determine in all its details. We have now added to the ample testimony of Scripture some very substantial, though not unanimous, authority in favour of concubinage, from the laws and opinions of the Early Church. It is the province of others, our Rulers in Church and State, to give practical effect to these principles, so as to concede to all the members of the community the liberty to which they appear entitled.

x. Among Ecclesiastical Authorities, we have only one more now to consider, and that is the judgment of the Church of England, so far as this is expressed in any of her authorized or official documents. There are two documents "set forth by authority," which deal with the question of Marriage: (1.) The Marriage Service in the Book of Common Prayer; (2.) The Tenth of the Second Book of Homilies, which among other subjects refers specially to the questions of Polygamy and Concubinage.

(1.) In the "Form of Solemnization of Matrimony," it may perhaps fairly be conceded at once that the Church disapproves both of polygamy and concubinage: of polygamy, because she exacts both from the man and the woman the same pledge, "forsaking all other, wilt thou

keep thee only unto her, or unto him, so long as ye both shall live?" And also of concubinage; because, although these words would not be incompatible with *single* concubinage (according to the Toledan decree;) yet the opening exhortation of the Service, setting forth the purposes of Matrimony, seems to recognise no other connexion between the sexes as allowable, but this one of lawful and formal marriage. This then may be admitted as being in point of fact (whether rightly or wrongly) the actual doctrine and sentiment of the Church of England, when these formularies were authorized, and at the present moment.

In this Service, the Church, desiring only to give effect to her received doctrines, does not concern herself to *argue* upon any of those points which in former ages have been matters of doubt and dispute. But in the other document which we have named, the Tenth Homily, we have a direct argument upon this subject; and this requires particular consideration. As the Book of Homilies, though not very expensive, is yet not in everybody's hands, we print the whole of this passage in an Appendix, C.

It is fair to premise that this Homily is not exclusively occupied with the question of concubines, but is intended to explain various difficulties of Scripture, which are likely to be misinterpreted, and to cause needless offence; this matter of the concubines among others. This consideration will in some measure account for the fact that the argument we are now about to criticise is imperfect, does not go fully and amply into the question; and, as we shall venture to say, is inconsistent and illogical. Making this excuse, or allowance, then, for the causes of its imperfectness, we proceed to deal with it as it stands.

(2.) It will be seen that the passage quoted divides itself naturally into two parts or paragraphs; the first giving a brief historical statement or description of the circumstances under which concubinage was practised in the Old

Testament; the second expressing a judgment as to the lawfulness and morality of the practice. The description here given may be accepted as fairly accurate, as far as it goes; but it is evidently much too brief to pretend to anything like a full consideration of the subject, and of the varied conditions under which concubinage occurred in the various parts of the sacred history. We need, however, here make only two brief remarks upon this first part of the Homily. Its object and effect is a *defence*, both of concubinage and polygamy, (at least as practised by the fathers;) "a concubine is an honest name"; "it was permitted—by a special prerogative—to the fathers of the O. T. to have more wives than one." When, however, it tells us, in the last sentence of this paragraph, that this special permission of polygamy was granted to them only because they all hoped and prayed to beget the promised Seed, this assertion is somewhat open to question. That this motive operated in some cases may reasonably be inferred from the sacred narrative; as in Abraham's taking Hagar, and perhaps in Rachel's proposal of Bilhah, and possibly some others which are not specially named. The desire for offspring, which is natural to the human race generally, appears to have been quickened to a very high degree among the Jewish nation; a result which would naturally flow from the promises which Almighty God had given to Abraham and the patriarchs, and which we may suppose God Himself intended to flow therefrom. Nevertheless, to say that this was the only motive which led men to take a "plurality of wives," wives and concubines too, or that the practice was allowed by the Divine Law only on this ground, only when done for this object, is rather beyond the evidence of Scripture itself, and probably beyond what most men will be inclined to believe.

(3.) But having begun by vindicating the Patriarchs, the Homilist, in the latter paragraph of his discourse, appears

to turn round and condemn them. He warns us that we are not to suppose that what they did was right, nor to be led by our own carnal lusts to follow their example. Now this of course is the very point in debate, whether the conduct of Abraham, Jacob, etc., in their polygamy, was right or wrong, lawful or sinful. And how does the Homilist prove his charge against them? Even Noah, he says, who was a very just man, fell into drunkenness and shame. So did Lot, another very good man. Abraham also, the father of the faithful, committed bigamy with Hagar ; Jacob wedded two sisters at one time ; David and Solomon had many wives, etc. "Which things, (*i. e.* all these just enumerated,) we see plainly to be forbidden us by the law of God."

The fallacy here is palpable. If Noah sinned in his drunkenness, this does not prove that Abraham sinned in his polygamy. The utmost that is proved by the instances of Noah and Lot, even if we take this severe view of them, (which, however, is questionable,*) amounts to this :—

Noah and Lot, being both eminently righteous men,
fell into sin and shame ;

therefore it is possible for a man eminently righteous to fall into sin :

* Noah appears to have been the first person who planted a vineyard, and produced therefrom *wine*, of an intoxicating character ; his one occasion of being "drunk," or overpowered by its effects, was therefore in great measure due to want of experience, and stands on a very different level, in point of sinfulness, from the wilful and frequent drunkenness which is so offensive in God's sight. So also Lot was deceived by the craft of his daughters, and can hardly be considered morally guilty for what happened. This is a matter of considerable importance. It is not the fact that any very godly men, in Scripture, committed, or at least, continued in "horrible sin," (the chief exception being perhaps the case of David and Bathsheba :) and the converse of this is equally true, and practically still more important, *viz.*, that any man who does commit horrible sin, and continues therein, is essentially not a godly man.

Therefore, it was possible for Abraham, (who was eminently righteous,) to fall into sin.

This conclusion is no doubt true: but it falls a long way short of proving that Abraham did *actually* sin, either in the matter of Hagar, or otherwise.

There is, then, a confusion of argument in mixing up these various histories of Noah, Lot, Abraham, Jacob, &c., in one category, and attempting to throw the odium of some of those transactions over others with which they have not the slightest connexion. And it is a confusion or inconsequence of which the writer seems not altogether unconscious. "We are not to think, he says, that God did allow everyone of these things in those men: but we ought rather to believe and to judge that Noe in his drunkenness offended God highly; Lot lying with his daughters committed horrible incest."—Here he stops: he does not go on to say, And Abraham likewise, in taking Agar was guilty of adultery, a grievous sin: Jacob also sinned still more grievously by adultery, incest, and concubinage. This is not said: but is it not implied? It is not said; for we may well suppose his pen refused to write it: but what other conclusion are we to draw from the whole tenor of his reasoning, on this, which is the main subject of his argument?

I ask then, Will any other man,—any man of character and responsibility,—venture to affirm that which this Homilist has here left unsaid? Especially the Bishops: for they are really responsible for the teaching of the Church, for these Homilies among other things: will the Bishops, individually or in Convocation, fill up and endorse the passage here quoted? In the face of those records which we have reviewed in these pages, will they venture to say that Abraham did grievously offend Almighty God in his dealings with Hagar? or Jacob, in relation to his wives and concubines? or David, in regard to his concubines gene-

rally? or, in short, so far at least as the Old Testament History is concerned, will they assert that either polygamy or concubinage are there declared to be sinful, or are ever treated as such, otherwise than when "multiplied" to excess?

As the *animus* and desire of the Homilist here is plainly to discourage the practice of these things, we must suppose that he had no stronger evidences to produce of their unlawfulness than these which he has stated. This, although it is not a positive proof that no better arguments exist, affords at least a strong presumption to that effect, considering the high authority belonging to this Book of Homilies, for over three hundred years.

It is hardly necessary to add that we have no desire to lessen the force of the important caution which is mainly insisted on in this Homily; namely, to warn men from copying the faults which are recorded of some of the saints in Scripture, under the delusive hope that if such a good man committed so great a sin, it will be no great harm for us to do likewise. The groundwork of this hope ought indeed to be very much removed, when it is seen that these deeds of Abraham, Jacob, David, and others, were in fact sanctioned and allowed by God; and that therefore those eminent men were not sinning against their own conscience at all.

(4.) The passage above considered, though it may show that the Bishops of the Church, under whose authority this Homily was put forth, disapproved of concubinage as well as polygamy, yet it cannot be taken to have the force of a positive Law or Canon prohibiting such things altogether, on pain of spiritual censures and excommunication. It is an argument on one side of the question, and no more. *Valeat quantum valet.* Nor yet can any words of the Marriage Service be adduced as a definite law on the subject, with the same penal consequences.

Is then the system of concubinage, such as we have here been considering, that is to say, such as we find allowed in Scripture, positively condemned or prohibited by any law or canon of the Church of England; such as should be binding on the conscience of her faithful and communicant members, whether confirmed or not by the external authority of Parliament?

This question has been asked in direct terms during the last four or five years, of some persons who might be supposed to be able to give an answer to it; asked more than once; and under such circumstances as would seem to *require* an answer to be given to it, if there were any answer to give.

But no answer has been received by the questioner hitherto.

The question is therefore now put forth once more for the consideration of any persons who may be able to answer it, and who may consider it their duty to do so.

APPENDIX A.

EXTRACTS FROM THE PRINCIPAL CANONS, AND OTHER WRITINGS OF THE EARLY CHURCH : CHIEFLY TAKEN FROM THE COLLECTION OF LABBÉ AND COSSART, FLORENCE. 1759.

§ 1. *The Apostolical Canons.*

These Canons, eighty-five in number, are of uncertain date, and doubtful authenticity : supposed by some to have been compiled by *Clement* of Alexandria, about A.D. 200 ; but certainly *not*, what their title professes, either the work of the Apostles themselves, or of the Apostolic age.

Canon 5. Ἐπίσκοπος ἢ πρεσβύτερος ἢ διάκονος τὴν ἑαυτοῦ γυναῖκα μὴ ἐκβαλλέτω προφάσει εὐλαβείας. Ἐὰν δὲ ἐκβάλλῃ, ἀφοριζέσθω ἐπιμένων δὲ, καθαιρεῖσθω.

16. Ὁ δυσὶ γάμοις συμπλακεὶς μετὰ τὸ βάπτισμα, ἢ παλλακὴν κτησάμενος, οὐ δύναται εἶναι ἐπίσκοπος ἢ πρεσβύτερος ἢ διάκονος, ἢ ὅλως τοῦ καταλόγου τοῦ ἱερατικοῦ.

17. Ὁ χήραν λαβὼν ἢ ἐκβεβλημένην ἢ ἑταίραν ἢ οἰκέτιν ἢ τῶν ἐπὶ σκηνῆς, οὐ δύναται εἶναι πρεσβύτερος ἢ ἐπίσκοπος ἢ διάκονος, ἢ ὅλως τοῦ καταλόγου τοῦ ἱερατικοῦ.

18. Ὁ δύο ἀδελφὰς ἀγαγόμενος, ἢ ἀδελφιδὴν, οὐ δύναται εἶναι κληρικός.

25. Τῶν εἰς κλῆρον προσελθόντων ἀγάμων, κελεύομεν βουλομένους γαμεῖν ἀναγνώστας καὶ ψάλλτας μόνους.

50. Εἴ τις ἐπίσκοπος καὶ πρεσβύτερος ἢ διάκονος ἢ ὅλως τοῦ καταλόγου τοῦ ἱερατικοῦ, γάμων καὶ κρεῶν καὶ οἴνου οὐ δι' ἄσκησιν, ἀλλὰ διὰ βδελυρίαν, ἀπέχεται,

επιλαθόμενος ὅτι πάντα καλὰ λαν, καὶ ὅτι ἄρσεν καὶ θήλυ ἐποίησεν ὁ Θεὸς τὸν ἄνθρωπον, ἀλλὰ βλασφημῶν διαβάλλει τὴν δημιουργίαν, ἢ διορθοῦσθω, ἢ καθαιρεῖσθω, καὶ τῆς ἐκκλησίας ἀποβαλλέσθω. Ὡσαύτως καὶ λαϊκός.

§ 2. *The Apostolical Constitutions.*

These also, in Eight Books, are of uncertain date and origin; probably compiled by some Bishop of the Eastern Church about A.D. 300.

Lib. III. cap. 1 et 2. Χήρας δὲ καθιστάτε μὴ ἔλαττον ἐτῶν ἐξήκοντα, ἵνα τρώῃ τινὲ τὸ τῆς δυγαμίας αὐτῶν ἀνύποπτον βέβαιον ὑμῖν διὰ τῆς ἡλικίας ὑπάρχει· εἰ δὲ νεωτέραν καταστήσητε εἰς τὸ χηρικὸν, καὶ μὴ φέρουσα τὴν ἐν νεότητι χηρίαν γαμήθῃ, ἀπρέπειαν ἐμποιήσει τῇ δόξῃ τοῦ χηρικοῦ, καὶ λόγον ὑφέξει τῷ Θεῷ· οὐχ ὅτι δευτέρῳ γάμῳ συνήφθῃ, ἀλλ' ὅτι τὴν ἑαυτῆς ἐπαγγελίαν οὐκ ἐφύλαξε, καταστρηνιάσασα τοῦ Χριστοῦ· Καὶ τοῦτο γὰρ εἰδέναι ὀφείλετε, ὅτι μονογαμία μὲν κατὰ νόμον γινομένη, δικαία, ὡς ἂν κατὰ γνώμην Θεοῦ ὑπάρχουσα· δυγαμία δὲ, μετὰ ἐπαγγελίαν, παράνομον οὐ διὰ τὴν συνάφειαν, ἀλλὰ διὰ τὸ ψεῦδος· τρυγαμία δὲ ἀκрасίας σημεῖον· τὸ δ' ὑπὲρ τὴν τρυγαμίαν, προφανῆς πορνεία, καὶ ἀσέλγεια ἀναμφίβολος· ὁ γὰρ Θεὸς μίαν γυναῖκα ἐν ἄνδρὶ δέδωκεν ἐν τῇ δημιουργίᾳ· ἔσονται γὰρ οἱ δύο εἰς σάρκα μίαν. Νεωτέραις δὲ μετὰ τὴν τοῦ πρώτου τελευτήν, συγκεχωρήσθω καὶ ὁ δεύτερος, ἵνα μὴ εἰς κρίμα τοῦ διαβόλου ἐμπέσωσι, καὶ παγίδας πολλὰς, καὶ ἐπιθυμίας ἀνοήτους καὶ ἐπιζημίους ψυχαῖς· αἵτινες κόλασιν προξενούσι μᾶλλον ἢ ἄνεσιν.

Lib. VI. cap. 17. Ἐπίσκοπον καὶ πρεσβύτερον καὶ διάκονον εἴπομεν μονογάμους καθίστασθαι, καὶ ζῶσιν αὐτῶν αἱ γαμεταί, καὶ τεθνάσι μὴ ἐξεῖναι δὲ αὐτοῖς μετὰ

χειροτονίαν, ἀγάμοις οὖσιν, ἔτι ἐπὶ γάμον ἔρχεσθαι ἢ γεγαμηκόσιν, ἐτέραις συμπλέκεσθαι, ἀλλ' ἀρκεῖσθαι ἢ ἔχοντες ἦλθον ἐπὶ τὴν χειροτονίαν· ὑπηρέτας δὲ καὶ ψαλτφοὺς καὶ ἀναγνώστας καὶ πυλωροὺς καὶ αὐτοὺς μονογάμους εἶναι κελεύομεν· εἰ δὲ πρὸ γάμου εἰς κλῆρον παρέλθωσιν, ἐπιτρέπομεν αὐτοῖς γαμεῖν, εἴγε πρὸς τοῦτο πρόσθεσιν ἔχουσιν, ἵνα μὴ ἀμαρτήσαντες κολάσεως τύχωσιν· οὐδενὶ δὲ τῶν ἐν τῷ κλήρῳ κελεύομεν ἢ ἐταίραν, ἢ οἰκέτιν, ἢ χήραν καὶ ἐκβεβλημένην λαμβάνειν, ὥς καὶ ὁ νόμος λέγει. Διακόνισσα δὲ γινέσθω παρθένος ἀγνή· εἰ δὲ μήγε, κἄν χήρα μονόγαμος, πιστὴ καὶ τιμίᾳ.

Lib. VIII., Cap. 32.

(Concerning those who are to be admitted to Baptism.)

Παλλακὴ τινος ἀπίστου δούλῃ, ἐκείνῳ μόνῳ σχολάζουσα, προσδεχέσθω· εἰ δὲ καὶ πρὸς ἄλλους ἀσελγαίνει, ἀποβαλλέσθω.

Πιστὸς ἂν ἔχῃ παλλακὴν, εἰ μὲν δούλην, παυσάσθω, καὶ νόμῳ γαμεῖτω· εἰ δὲ ἐλευθέραν, ἐκγαμεῖτω αὐτὴν νόμῳ· εἰ δὲ μὴ, ἀποβαλλέσθω.

§ 3. *Canons of Neocæsarea.*

The Council of Neocæsarea, the Metropolis of the Province of Pontus Ptolemaicus, in Asia Minor, was held A.D. 314.

Cap. 1. Πρεσβύτερος, ἂν γήμη, τῆς τάξεως αὐτὸν μετατίθεσθαι· ἂν δὲ πορνεύσῃ, ἢ μοιχεύσῃ, ἐξωθεῖσθαι αὐτὸν τέλεον, καὶ ἄγεσθαι αὐτὸν εἰς μετάνοιαν.

3. Περὶ τῶν πλείστοις γάμοις περιπιπτόντων, ὁ μὲν χρόνος σαφὴς ὁ ὠρισμένος· ἡ δὲ ἀναστροφή καὶ ἡ πίστις αὐτῶν συντέμνει τὸν χρόνον.

7. Πρεσβύτερον εἰς γάμους διγαμούντων μὴ ἐστιᾶσθαι· ἐπεὶ μετάνοιαν αἰτοῦντος τοῦ διγάμου, τίς ἔσται ὁ πρεσβύτερος ὁ διὰ τῆς ἐστιάσεως συγκατατιθέμενος τοῖς γάμοις;

§ 4. *The Council of Nice, or Nicæa,*

in Bithynia, assembled in A.D. 325; being the First General Council of the Church. Here was adopted the Creed thence named, *i.e.*, the Nicene Creed.

Canon 8. Περὶ τῶν ὀνομαζόντων μὲν ἑαυτοὺς καθαρούς ποτε, προσερχομένων δὲ τῇ καθολικῇ καὶ ἀποστολικῇ ἐκκλησίᾳ, ἔδοξε τῇ ἁγίᾳ καὶ μεγάλῃ συνόδῳ ὥστε χειροθετούμενους αὐτοὺς, μένειν οὕτως ἐν τῷ κλήρῳ· πρὸ πάντων δὲ τοῦτο ὁμολογῆσαι αὐτοὺς ἐγγράφως προσήκει, ὅτι συνθήσονται καὶ ἀκολουθήσουσι τοῖς τῆς καθολικῆς καὶ ἀποστολικῆς ἐκκλησίας δόγμασι· τοῦτ' ἔστι, καὶ διγαμοὺς κοινωνεῖν, καὶ τοῖς ἐν τῷ διωγμῷ παραπεπτωκόσιν, κ.τ.λ.

§ 5. *The Council of Gangra,*

the Metropolis of Paphlagonia, circ. A.D. 330.

Can. 1. Εἴ τις τὸν γάμον μέμφοιτο, καὶ τὴν καθευδουσαν μετὰ τοῦ ἀνδρὸς αὐτῆς, οὖσαν πιστὴν καὶ εὐλαβῇ, βδελύσσοιτο ἢ μέμφοιτο, ὡς ἂν μὴ δυναμένην εἰς βασιλείαν εἰσελθεῖν, ἀνάθεμα ἔστω.

4. Εἴ τις διακρίνοιτο περὶ πρεσβυτέρου γεγαμηκότος, ὡς μὴ χρῆναι λειτουργήσαντος αὐτοῦ προσφορᾶς μεταλαμβάνειν, ἀνάθεμα ἔστω.

§ 6. *The Council of Laodicea.*

A.D. 367: or according to others, A.D. 324.

Can. 1. Περὶ τοῦ δεῖν κατὰ τὸν ἐκκλησιαστικὸν κανόνα τοὺς ἐλευθέρως καὶ νομίμως συναφθέντας δευτέρους γάμοις, μὴ λαθρογαμίαν ποιήσαντας, ὀλίγου χρόνου παρελθόντος, καὶ σχολασάντων ταῖς προσευχαῖς καὶ νηστεαῖς, κατὰ συγγνώμην ἀποδίδοσθαι αὐτοῖς τὴν κοινωνίαν ὠρίσαμεν.

§ 7. *The First Council of Toledo, A.D. 400.*

Cap. 17. Si quis habens uxorem fidelem, [*al.* fidelis,] si concubinam habeat, non communicet. Cæterum is qui non

habet uxorem, et pro uxore concubinam habet, a communione non repellatur, tantum ut unius mulieris, aut uxoris aut concubinæ, ut ei placuerit, sit conjunctione contentus. Aliàs vero vivens, abjiciatur, donec desinat et per pœnitentiam revertatur.

§ 8. *The Council of Trent,*

(Tridentum, or Trento, in the Austrian Tyrol,) A.D. 1545-64; the last great Council of the Roman Church, until the recent Vatican Council in 1870.

Sess. xxiv. Can. 2. Si quis dixerit licere Christianis plures simul habere uxores, et hoc nullâ lege divinâ esse prohibitum, anathema sit.

Can. 9. Si quis dixerit clericos in sacris ordinibus constitutos, vel regulares castitatem solemniter professos, posse matrimonium contrahere, contractumque validum esse, non obstante lege ecclesiasticâ vel voto; et oppositum nihil aliud esse quam damnare matrimonium; possequè omnes contrahere matrimonium qui non sentiunt se castitatis, etiam si eam voverint, habere donum: anathema sit, quum Deus id recte petentibus non deneget, nec patiatur nos supra id quod possumus, tentari.

Can. 10. Si quis dixerit statum conjugalem anteponendum esse statui virginitatis vel cœlibatûs, et non esse melius ac beatius manere in virginitate aut cœlibatu quam jungi matrimonio; anathema sit.

Cap. viii. Grave peccatum est homines solutos concubinas habere; gravissimum vero, et in hujus magni sacramenti singularem contemptum admissum, uxoratos quoque in hoc damnationis statu vivere, ac audere eas quandoque domi etiam cum uxoribus alere et retinere.

§ 9. *St. Augustine, Bishop of Hippo, in Africa:*

d. A.D. 430.

1. Non facile dignoscitur quas concubinas appellet Scriptura, quas uxores; quandoquidem et Agar dicta est uxor,

quæ postea dicitur concubina, et Cethura, et ancillæ quas dederunt Rachel et Lia viro suo. Nisi forte omnis concubina uxor, non autem omnis uxor concubina, more loquendi Scripturarum, appellatur: id est, ut Sara et Rebecca et Lia et Rachel concubinæ dici non possint; Agar vero et Cethura et Balla et Zelfa et uxores et concubinæ.

Quæstio xc.

2. De concubinâ quoque, si professa fuerit nullum se alium cognituram, etiamsi ab illo cui subdita est dimittatur, merito dubitatur utrum ad percipiendum baptismum non debeat admitti.

De Fide et Operibus, xxxv.

APPENDIX B.

EXTRACT FROM "THE ANTIQUITIES OF THE CHRISTIAN CHURCH." BY THE REV. JOSEPH BINGHAM, M.A. 1708-22. NEW EDITION, 10 VOLS. OXFORD, 1855.

Book XI. Chapter v. § 11.

"The other case which has been matter of doubt is concerning the state of concubinage, which in the common acceptation is a matter of such ill fame, that it seems a wonder to many to hear of any allowance made to it in the civil law and ancient canons. But they made a distinction anciently in this matter, as the Jews and Patriarchs of old did, among whom there was one sort of concubines which was permitted, as differing nothing from a wife, save only that she was not married with all the solemnities and usual forms that the other was; and this sort of concubines the ancient canons received both to Baptism and the Communion. The rule in the Constitutions about this matter is given thus:—'A concubine that is a slave to an infidel, if

she keep herself only unto him, may be received to baptism but if she commit fornication with others, she shall be rejected.' A like decree was made in the Council of Toledo, concerning the admission of persons to Communion: 'If any Christian who has a wife have also a concubine, let him not communicate. But if he have no wife, but only a concubine instead of a wife, he may not be repelled from Communion, provided he be content to be joined to one woman only, whether wife or concubine, as he pleases.'

"Now the difference betwixt such a concubine and a wife, as learned men have observed, was not that the one was truly married, and the other not; but in the different way of their being married. For she that was called a wife was married publicly, and with great solemnity, and instruments of dowry, and other ceremonies which the civil and canon law required. But she who was called a concubine was one married in a private way, without the solemnity which the law required. Yet they both agreed in these three things:—

1. That they were unmarried persons before :
2. That they obliged themselves to their husbands, to live in conjugal chastity, and in procreation of children, and be joined to no other :
3. And that they would continue faithful in this state all their lives.

"Now this sort of concubines, being in the nature of wives married without the formalities required in the Civil Law, were not reputed guilty of fornication, though they wanted the privileges, rights and honours, that the law allowed to those who were called legal wives : and therefore they were admitted to baptism without any further obligation, in case the husband was a heathen. But if the husband was a Christian, the rule in the Constitutions made a little difference. For if he had a concubine, he was obliged to dismiss her, and marry a lawful wife, if his concubine was

a slave : and if she was a free woman, he must make her a lawful wife ; otherwise he was to be cast out of the Church. And so in the decrees of Pope Leo, Christians who had only concubines were obliged to dismiss them, if they were slaves, unless they would free them, and lawfully endow them, and give them a public marriage, as the laws required.

“And in this these decrees seem to differ from that of the Council of Toledo, which allows a concubine to cohabit in private wedlock, without any Ecclesiastical censure. St. Austin, [Augustine,] reckons this case one of those dubious and difficult points which cannot easily be determined. But he inclines to think a concubine of this kind might be admitted to baptism, because her case differs much from that of a professed adulteress, who could never be admitted to baptism whilst she lived in the practice of so flagrant a crime : but the other case he thinks is a matter which the Scripture has nowhere so positively condemned, but rather left in doubt, as many other such points and questions, which the Church in her prudence must decide, by the best skill she has to determine such difficult questions.

“I have represented the sense of the Ancients upon this point as clearly as I could, because it has occasioned some illfounded censures of the Ancients, and of Gratian’s Canon Law, which is only copied from them, in some modern Authors ; as if they had allowed such concubines as we commonly call harlots to be baptized without giving signs of repentance : whereas we see this matter was not so crudely delivered by them, but considered and determined with several necessary cautions and distinctions.”

APPENDIX C.

EXTRACT FROM THE TENTH HOMILY, OF THE SECOND
BOOK OF HOMILIES, "SET OUT BY THE AUTHORITY OF
THE LATE QUEEN'S MAJESTY," (QUEEN ELIZABETH.)
OXFORD EDITION. 1844.

"Some again are offended to hear that the godly fathers had many wives and concubines, although after the phrase of the Scripture, a concubine is an honest name; for every concubine is a lawful wife, but every wife is not a concubine. And that ye may the better understand this to be true, ye shall note that it was permitted to the fathers of the Old Testament to have at one time more wives than one, for what purpose ye shall afterward hear. Of which wives, some were freewomen born, some were bondwomen and servants. She that was freeborn had a prerogative above those that were servants and bondwomen. The freeborn woman was by marriage made the ruler of the house under her husband, and is called the mother of the household, the mistress or the dame of the house, after our manner of speaking, and had by her marriage an interest, a right, and an ownership of his goods unto whom she was married. Other servants and bondwomen were given by the owners of them, as the manner was then, I will not say always, but for the most part, unto their daughters at the day of their marriage, to be handmaidens unto them. After such a sort did Pharaoh, King of Egypt, give unto Sara, Abraham's wife, Agar, the Egyptian, to be her maid: so did Laban give unto his daughter Lea, at the day of her marriage, Zilpha to be her handmaid. And to his other daughter Rachel, he gave another bondmaid, named Bilha. And the wives that were the owners of their handmaidens, gave them in marriage to their husbands, upon

divers occasions. Sara gave her maid, Agar, in marriage to Abraham; Lea gave in like manner, her maid Zilpha to her husband Jacob. So did Rachel, his other wife, give him Bilha, her maid, saying unto him, "Go in unto her, and she shall bear upon my knees;" which is as if she had said, Take her to wife; and the children that she shall bear will I take upon my lap, and make of them as if they were mine own. These handmaidens or bondwomen, although by marriage they were made wives, yet they had not this prerogative, to rule in the house, but were still underlings, and in subjection to their masters, and were never called mothers of the household, mistresses, or dames of the house, but are called sometimes wives, sometimes concubines. The plurality of wives was by a special prerogative suffered to the fathers of the Old Testament, not for satisfying their carnal and fleshly lusts, but to have many children, because every one of them hoped, and begged oftentimes of God in their prayers, that that blessed Seed, which God promised should come into the world, to break the Serpent's head, might come and be born of his stock and kindred.

"Now of those which take occasion of carnality and evil life, by hearing and reading in God's book what God hath suffered, even in those men whose commendation is praised in the Scripture: as that Noe, whom St. Peter calleth the eighth preacher of righteousness, was so drunk with wine that in his sleep he uncovered his own privities. The just man Lot, was in like manner drunken, and in his drunkenness lay with his own daughters, contrary to the law of nature. Abraham, whose faith was so great that for the same he deserved to be called of God's own mouth, *a father of many nations, the father of all believers*, besides with Sara his wife, had also carnal company with Agar, Sara's handmaid. The patriarch Jacob had to his wives two sisters at one time. The prophet David, and king

Solomon his son, had many wives and concubines, etc. Which things we see plainly to be forbidden us by the Law of God, and are now repugnant to all public honesty. These and such like in God's book, good people, are not written that we should or may do the like, following their examples, or that we ought to think that God did allow every of these things in those men : but we ought rather to believe and to judge that Noe in his drunkenness offended God highly. Lot, lying with his daughters, committed horrible incest. We ought then to learn by them this profitable lesson, that if so godly men as they were, which otherwise felt inwardly God's Holy Spirit inflaming their hearts with the fear and love of God, could not by their own strength keep themselves from committing horrible sin, but did so grievously fall, that without God's great mercy they had perished everlastingly ; how much more ought we then, miserable wretches, which have no feeling of God within us at all, continually to fear, not only that we may fall as they did, but also be overcome and drowned in sin, which they were not ; and so, by considering their fall, take the better occasion to acknowledge our own infirmity and weakness, and therefore more earnestly to call unto Almighty God, with hearty prayer incessantly, for His grace to strengthen us, and to defend us from all evil. And though, through infirmity we chance at any time to fall, yet we may by hearty repentance and true faith, speedily rise again, and not sleep and continue in sin, as the wicked doth."

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